

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of 2007 revisions to underground residential and commercial distribution tariff, by Florida Power & Light Company.

DOCKET NO. 070231-EI

In re: Petition for approval of underground conversion tariff revisions, by Florida Power & Light Company.

DOCKET NO. 080244-EI
ORDER NO. PSC-09-0145-PCO-EI
ISSUED: March 10, 2009

FIRST ORDER REVISING ORDER CONSOLIDATING DOCKETS
AND ESTABLISHING PROCEDURE

By Order No. PSC-09-0114-PCO-EI, issued on February 25, 2009, Docket Nos. 070231-EI and 080244-EI were consolidated, and the procedures and controlling dates were established. On March 5, 2009, Florida Power & Light Company (FPL) filed its Motion to Amend that Order (Motion).

In its Motion, FPL requested the following: (1) the date for filing intervenor testimony and exhibits be amended to April 13, 2009 (from April 20, 2009); (2) the date for the filing of Prehearing Statements be amended to May 11, 2009 (from May 8, 2009); (3) the date for FPL to file rebuttal testimony and exhibits be amended to May 13, 2009 (from May 4, 2009); and (4) the discovery procedures be amended to require parties to respond to discovery within 20 days. FPL states in its Motion that it needs more time to respond to the intervenors' testimony and that all intervenors have authorized it to represent that they do not object to the relief requested in its Motion.

Therefore, the Motion shall be granted in its entirety, and the new filing dates for intervenor testimony and exhibits, Prehearing Statements, and FPL's rebuttal testimony and exhibits shall be as follows:

Intervenors'/Protestors' Testimony and Exhibits	April 13, 2009
Prehearing Statements	May 11, 2009
Rebuttal Testimony and Exhibits	May 13, 2009

All other controlling dates will remain the same. All parties shall respond to discovery within 20 days.

Based on the foregoing, it is

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FPSC-COMMISSION CLERK


ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that Florida Power & Light Company's Motion to Amend Order Consolidating Dockets and Establishing Procedure, Order No. PSC-09-0114-PCO-EI, is granted in its entirety. It is further

ORDERED that the controlling dates shall be amended as set out above. It is further

ORDERED that all parties shall respond to discovery within 20 days. It is further

ORDERED that all other aspects of Order No. PSC-09-0114-PCO-EI are hereby reaffirmed.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 10th day of March, 2009.


LISA POLAK EDGAR
Commissioner and Prehearing Officer

(S E A L)

RRJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.