

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor.

DOCKET NO. 090001-EI
ORDER NO. PSC-09-0616-PCO-EI
ISSUED: September 10, 2009

ORDER GRANTING FLORIDA PUBLIC UTILITIES COMPANY'S
MOTION FOR EXTENSION OF TIME

Case Background

As part of the Commission's continuing fuel and purchased power cost recovery and generating performance incentive factor proceedings, this docket was opened, and a hearing has been set for November 2-4, 2009. By Order No PSC-09-0142-PCO-EI, issued March 6, 2009, a procedural schedule was established setting forth the controlling dates for this docket. Currently, the Order Establishing Procedure (OEP) requires that Projection Testimony be filed by all investor-owned utilities on or before September 1, 2009.

On August 31, 2009, Florida Public Utilities Company (FPUC) filed a Motion for Extension of Time for submission of its projection schedules, testimony, and exhibits (Projection Testimony) in this docket. FPUC requests that it be permitted to file its Projection Testimony on September 11, 2009.

Unopposed Motion

In its Motion, FPUC states that it purchases all of the power which it provides to its customers and as a result requires detailed information from its vendors, including Gulf Power, to prepare FPUC's projections. According to FPUC, while this is an ongoing process, the most current information may not be available to FPUC until the vendor has completed its schedules. FPUC asserts that once the information is received, FPUC then must review and check that information. FPUC contends that for this period it has not been able to complete its analyses and final submissions because of the unavoidable absence of key personnel responsible for the preparation and review of the final projections. FPUC will file its projections and testimony as soon as it has been checked and analyzed but needs additional time to do so. As a result, the required filings cannot be completed prior to September 1, 2009, and FPUC requests an extension until September 11, 2009, to file its Projection Testimony. FPUC asserts that OPC and the other parties have no objection to this request.

Ruling and Revised Controlling Dates

Having reviewed this Motion, it appears that FPUC has alleged sufficient grounds for an extension of time to file its Projection Testimony, and FPUC's Motion for Extension of Time is hereby granted. FPUC's Projection Testimony shall be filed no later than Friday, September 11,

DOCUMENT NUMBER-DATE
09379 SEP 10 8
FPSC-COMMISSION CLERK

ORDER NO. PSC-09-0616-PCO-EI
DOCKET NO. 090001-EI
PAGE 2


2009. All other controlling dates established for this docket shall remain unchanged, unless further modified by the Prehearing Officer.

Based on the foregoing, it is

ORDERED by Commissioner Katrina J. McMurrian, as Prehearing Officer, that the Florida Public Utilities Company's Motion for Extension of Time is hereby granted as set forth in the body of this Order. It is further

ORDERED that Order No PSC-09-0142-PCO-EI is reaffirmed in all other respects.

By ORDER of Commissioner Katrina J. McMurrian, as Prehearing Officer, this 10th day of September, 2009.


KATRINA J. McMURRIAN
Commissioner and Prehearing Officer

(SEAL)

ELS

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.