

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to resolve territorial dispute with
Gulf Power Company in Okaloosa County by
Choctawhatchee Electric Cooperative, Inc.

DOCKET NO. 100304-EU
ORDER NO. PSC-10-0708-PCO-EU
ISSUED: November 29, 2010

ORDER GRANTING JOINT MOTION FOR CHANGE
IN HEARING DATES AND MODIFYING CONTROLLING DATES

A formal hearing in this docket was scheduled for March 1 and 2, 2011. Based on these hearing dates, an Order Establishing Procedure, Order No. PSC-10-0615-OCO-EU, was issued on October 13, 2010. That Order established the Controlling Dates for: (1) the prefiling of testimony and exhibits, (2) filing of prehearing statements, (3) the closing of discovery, and (4) the filing of briefs. The Controlling Dates were premised on the fact that a Prehearing Conference was scheduled for February 21, 2011, and a hearing was scheduled for March 1 and 2, 2011.

On November 4, 2010, Chelco and Gulf Power Company (Gulf Power) filed their Joint Motion for Change of Hearing Dates (Motion), noting that one of the witnesses for Choctawhatchee Electric Cooperative, Inc. (Chelco) has an unavoidable conflict with the hearing dates of March 1 and 2, 2011. The parties request that the hearing dates be rescheduled, if possible, to May 17 and 18, 2011, as those dates were the only two days in May in which they did not have a conflict. The parties further request that the Controlling Dates be extended concomitant with the revised hearing dates.

The Chairman has approved the May 17 and 18, 2011, dates for a rescheduled hearing in this docket. Further, a Prehearing Conference has been scheduled for May 9, 2011. Therefore, the Controlling Dates shall be revised as set out below:

Controlling Dates

The following dates have been established to govern the key activities of this case:

DOCUMENT NUMBER DATE

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	<u>Original Dates</u>	<u>Revised Dates</u>
(1) CHELCO and Gulf Power file direct testimony and exhibits	December 10, 2010	February 21, 2011
(2) Intervenor testimony and exhibits, if any	January 7, 2011	March 21, 2011
(3) Staff's testimony and exhibits, if any	January 14, 2011	March 30, 2011
(4) CHELCO and Gulf Power file rebuttal testimony and exhibits	January 28, 2011	April 13, 2011
(5) Prehearing Statements	February 9, 2011	April 25, 2011
(6) Prehearing Conference	February 21, 2011	May 9, 2011
(7) Discovery deadline	February 22, 2011	May 10, 2011
(8) Hearing	March 1 and 2, 2011	May 17 and 18, 2011
(9) Briefs	March 24, 2011	June 9, 2011

Based on the foregoing, it is

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that the Joint Motion for Change of Hearing Dates is approved as set forth in the body of this Order. It is further

ORDERED that the Controlling Dates shall be revised as set forth in the body of this Order.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 29th day of November, 2010.



RONALD A. BRISÉ
Commissioner and Prehearing Officer

(S E A L)

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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.