

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition for modification to determination of need for expansion of an existing renewable energy electrical power plant in Palm Beach County by Solid Waste Authority of Palm Beach County and Florida Power & Light Company, and for approval of associated regulatory accounting and purchased power agreement cost recovery.

DOCKET NO. 110018-EU  
ORDER NO. PSC-11-0146-PCO-EU  
ISSUED: March 3, 2011

ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

Order No. PSC-11-0074-PCO-EU, ("Procedural Order") issued on January 27, 2011, established hearing procedures to govern this Docket, including controlling dates. At this time, it is necessary to modify the Procedural Order to establish new controlling dates and modify discovery response times.

As such, Section X of the Procedural Order shall be modified and the following due dates are hereby established to govern the key activities of this case:

Prehearing Statements	April 4, 2011
Prehearing Conference	April 18, 2011
Discovery Deadline	April 20, 2011
Hearing	April 25, 2011
Briefs	May 9, 2011

The Solid Waste Authority of Palm Beach County and Florida Power & Light Company have committed to a 10-day turn-around for discovery responses. Accordingly, Section VI.A.(1) is modified to reflect a discovery deadline of April 20, 2011, and Section VI.A.(5) is modified to reflect that discovery responses shall be served within 10 calendar days of receipt.

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that Order No. PSC-11-0074-PCO-EU, is modified as set forth in the body of this order. It is further,


ORDERED that Order No. PSC-11-0074-PCO-EU is reaffirmed in all other respects.

DOCUMENT NUMBER-DATE

01448 MAR-3 =

FPSC-COMMISSION CLERK

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 3rd day of March, 2011.

  
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LISA POLAK EDGAR  
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.