

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 110001-EI
ORDER NO. PSC-11-0383-PCO-EI
ISSUED: September 12, 2011

REVISED ORDER ESTABLISHING PROCEDURE

As part of the Commission's continuing fuel and purchased power cost recovery clause and generating performance incentive factor proceedings, the Commission has set a hearing in this docket for November 1, 2, and 3, 2011. Order No. PSC-11-0132-PCO-EI, issued February 25, 2011, set forth the procedural requirements for all parties to this docket. Jurisdiction over these matters is vested in the Commission through several provisions of Chapter 366, Florida Statutes (F.S.), including Sections 366.04, 366.05, and 366.06, F.S.

This Revised Order is issued pursuant to the authority granted by Rule 28-106.211, Florida Administrative Code (F.A.C.), which provides that the Presiding Officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case.

On August 19, 2011, Staff filed a Motion to Extend the Time for Filing Testimony and Exhibits. The Motion was unopposed and it is hereby granted. This Revised Order reflects the following extended dates for filing testimony and exhibits:

Accordingly, the following revised controlling date shall govern this case:

Staff's Testimony and Exhibits, if any	October 6, 2011
Rebuttal Testimony	October 13, 2011
Prehearing Statements	October 17, 2011

On August 30, 2011, Florida Public Utilities Company (FPUC) filed a Motion for Extension of Time to File Projection Testimony and Exhibits (Motion). Under Order PSC-11-0132-PCO-EI, the date for the utilities to file their projection testimony and exhibits was set at September 1, 2011. In its Motion, FPUC asserts that certain cost information that is necessary to complete its projections is not yet available and that it is also awaiting a final recommendation from its consultant regarding allocations. FPUC asserts that that the delay in receiving the recommendation has been unavoidable but that it will be able to file the testimony and exhibits on or before September 8, 2011. FPUC's counsel has contacted the other parties, and has received no indication from the Florida Retail Federation, AFFIRM, or the City of Marianna, but all other parties have no objection to the motion. Accordingly, FPUC's Motion is granted and the time for filing its testimony and exhibits is extended to September 8, 2011.

DOCUMENT NUMBER-DATE

06540 SEP 12 =

FPSC-COMMISSION CLERK

All other controlling dates shall remain as established in the Order Establishing Procedure, Order No. PSC-11-0132-PCO-EI.

Based on the foregoing, it is

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that the controlling dates are revised as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-11-0132-PCO-EI is reaffirmed in all other respects.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 12th day of September, 2011.



RONALD A. BRISE

Commissioner and Prehearing Officer
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

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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.