

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Examination of the outage and replacement fuel/power costs associated with the CR3 steam generator replacement project, by Progress Energy Florida, Inc.

DOCKET NO. 100437-EI
ORDER NO. PSC-11-0442-PCO-EI
ISSUED: October 5, 2011

FIRST ORDER REVISING ORDER ESTABLISHING PROCEDURE

The Order Establishing Procedure, Order No. PSC-11-0352-PCO-EI, issued August 23, 2011, in this docket, requires that hard copies of all exhibits be filed with the Commission's Clerk. On September 30, 2011, Progress Energy Florida, Inc. (PEF) filed a Motion for Leave to File Witness Exhibits in Electronic Format. PEF requests permission to file the Exhibits of Witnesses Garry Miller and Jon Franke in electronic format on CD or DVD rather than in hard copy format. PEF states that many of the exhibits it intends to file on October 10, 2011 are not conducive to being distributed and reviewed in hard copy format. PEF states that the exhibits contain full color drawing or pictures, and some contain computer animations. PEF additionally states that many of the exhibits are several thousand pages long. PEF affirms that while the exhibits will be filed in electronic format, the testimony will be filed in hard copy format. PEF states that it has conferred with all parties of record, except Florida Industrial Power Users Group (FIPUG) who was not available at the time. PEF is authorized to represent that all parties of record, except FIPUG, have no objection to PEF's motion.

Rule 28-106.211, Florida Administrative Code, provides that the presiding officer may issue any orders necessary to promote the just, speedy, and inexpensive determination of all aspects of the case. Accordingly, PEF's motion is granted.

Based on the foregoing, it is

ORDERED that Order No. PSC-11-0352-PCO-EI is revised to permit Progress Energy Florida, Inc. to file the exhibits to the direct testimonies of Witnesses Jon Franke and Garry Miller in electronic format by DVD or CD rather than in hard copy format. It is further


ORDERED that Order No. PSC-11-0352-PCO-EI is reaffirmed in all other aspects.

DOCUMENT NUMBER DATE

07238 OCT-5 =

FPSC-COMMISSION CLERK

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 5th day of October, 2011.



EDUARDO E. BALBIS
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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.