

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of negotiated renewable energy contracts with U.S. EcoGen Okeechobee, LLC, U.S. EcoGen Clay, LLC, and U.S. EcoGen Martin, LLC, by Florida Power & Light Company.

DOCKET NO. 120314-EQ
ORDER NO. PSC-13-0195-PCO-EQ
ISSUED: May 14, 2013

ORDER GRANTING MOTION FOR ENLARGEMENT OF TIME

Background

On December 18, 2012, Florida Power & Light Company (FPL) filed a petition requesting approval of three negotiated contracts for the purchase of firm capacity and energy between three subsidiaries of U.S. EcoGen, LLC and FPL. On February 8, 2013, the Florida Industrial Power Users Group (FIPUG or Association) filed a petition to intervene in this docket, which was granted by Order No. PSC-13-0103-PCO-EQ, on February 27, 2013. On April 22, 2013, by Order No. PSC-13-0164-PAA-EQ, the Florida Public Service Commission (Commission) proposed to approve the negotiated renewable energy contracts if a protest of such approval were not received by close of business on May 13, 2013. On May 10, 2013, pursuant to Rule 28-106.111, Florida Administrative Code (F.A.C.), FIPUG filed a Motion for Enlargement of Time in Which to File a Petition for Formal Administrative Hearing (Motion), which is the subject of the instant order.

Decision

Rule 28-106.111(3), F.A.C., provides that this Commission may, for good cause shown, grant a request for extension of time under the circumstances presented in this matter. The Association represents 1) that it needs an additional 7 days, until May 20, 2013, to determine whether to petition for a hearing, 2) that FPL does not object to the Motion, and 3) that the request is not filed for the purpose of delay. Upon review, I find that the unopposed request is timely filed, is made for good cause, and is not intended to delay this matter. Thus, I shall grant the Motion.

Based on the foregoing, it is

ORDERED by Lisa Polak Edgar, as prehearing officer, that the Florida Industrial Power Users Group's Motion for Enlargement of Time in Which to File a Petition for Formal Administrative Hearing is granted. It is further

ORDERED that any petition for a formal administrative hearing in this docket shall be filed by close of business on May 20, 2013. It is further

DOCUMENT NUMBER - DATE

02642 MAY 14 2013

FPSC-COMMISSION CLERK

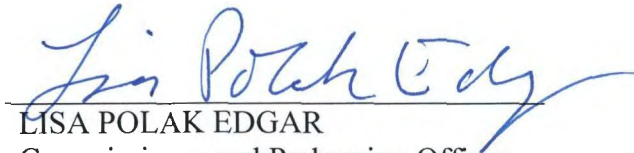
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ORDERED that if no such petition is timely filed, Order No. PSC-13-0164-PAA-EQ shall become final and effective upon the issuance of a Consummating Order.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 14th day of May, 2013.



LISA POLAK EDGAR
Commissioner and Prehearing Officer
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

CWM

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.