

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Tampa  
Electric Company.

DOCKET NO. 130040-EI  
ORDER NO. PSC-13-0203-PCO-EI  
ISSUED: May 17, 2013

ORDER GRANTING IN PART AND DENYING IN PART JOINT MOTION TO MODIFY  
CONTROLLING DATES AND SERVICE OF DISCOVERY AND  
FIRST ORDER REVISING ORDER ESTABLISHING PROCEDURE

The Order Establishing Procedure (OEP), Order No. PSC-13-0150-PCO-EI, in this docket was issued on April 8, 2013. On April 12, 2013, the Office of Public Counsel (OPC), Florida Retail Federation (FRF), and Florida Industrial Power Users Group (FIPUG) (collectively, Movants) filed a joint motion to modify the OEP's controlling dates and service of discovery provisions (Joint Motion). In the Joint Motion, Movants asserted that they contacted counsel for Tampa Electric Company (TECO) who advised them that TECO did not oppose the relief requested in the Joint Motion.

The Joint Motion requests that certain dates provided in Section IX of the OEP be extended due to the time necessary to review and conduct discovery on TECO's minimum filing requirements, which consist of a large amount of documents, direct testimony, and exhibits. The Joint Motion requests that the OEP in this docket be modified to the following proposed dates: July 15, 2013, for intervenors' testimony and exhibits; July 31, 2013, for staff's testimony and exhibits; August 15, 2013, for rebuttal testimony and exhibits; August 19, 2013, for prehearing statements; and August 30, 2013, for the discovery deadline.

The Joint Motion also requests that Section V, Discovery Procedures, in the OEP be modified to authorize the service of discovery responses via electronic transmission in order to allow the parties to establish a file transfer protocol amongst themselves for efficient handling of documents.

Pursuant to Rule 28-106.211, Florida Administrative Code (F.A.C.), the Joint Motion shall be granted in part and denied in part, as set forth herein. The controlling dates in Section IX of the OEP shall be amended to the following dates:

- |                                       |                 |
|---------------------------------------|-----------------|
| • Intervenors' testimony and exhibits | July 15, 2013   |
| • Staff's testimony and exhibits      | July 25, 2013   |
| • Rebuttal testimony and exhibits     | August 8, 2013  |
| • Prehearing statements               | August 12, 2013 |

The discovery deadline shall remain on August 26, 2013.

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In addition, the discovery procedures set forth in Section V.A.(2) of the OEP shall be amended to read:

(2) Discovery requests shall be served by e-mail, hand delivery, or overnight mail. Discovery responses shall be served by e-mail, hand delivery, overnight mail, or electronic transmission as agreed to and established amongst the various parties.

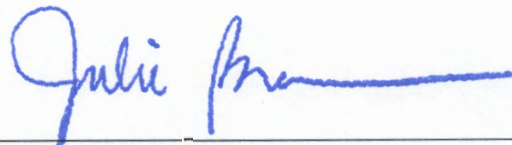
Furthermore, the technical hearing in this docket was originally scheduled to occur on two separate weeks, September 9-11 and 16-17, 2013. However, since the OEP was issued, September 12 and 13, 2013, have become available, which would allow for the full technical hearing to occur during the same week, thereby promoting efficiency of time and resources. Accordingly, the dates for the technical hearing set forth in Section IX of the OEP shall be amended to September 9 through 13, 2013.

Based on the foregoing, it is

ORDERED by Commissioner Julie I. Brown, as Prehearing Officer, that Order No. PSC-13-0150-PCO-EI is amended to schedule new controlling dates, including dates for hearing, and to provide for electronic transmission of discovery requests and responses as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-13-0150-PCO-EI is affirmed in all other respects.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this 17th day of May, 2013.



JULIE I. BROWN  
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.

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.