

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-13-0284-PCO-EI  
ISSUED: June 19, 2013

ORDER GRANTING SECOND JOINT MOTION OF THE PARTIES FOR A TEMPORARY STAY AND EXTENSION OF DEADLINES IN THE THIRD ORDER ESTABLISHING PROCEDURDE AS AMENDED BY ORDER NO. PSC-13-0257-PCO-EI AND ORDER NO. PSC-13-0283-PCO-EI

On June 19, 2013, Duke Energy Florida, Inc. (Duke), the Office of Public Counsel, the Florida Retail Federation, the Florida Industrial Powers Users Group, and PSC Phosphate d/b/a White Springs jointly moved for a temporary stay and extension of the deadlines in the Third Order Establishing Procedure (Third OEP), issued April 26, 2013, as amended by Order Nos. PSC-13-0257-PCO-EI and PSC-13-0283-PCO-EI. In support of their motion, the parties state that they have made progress identifying and resolving disputed issues in this proceeding. However, the parties further state that, despite their best efforts and the progress they have made to date, there remain some disputed issues and discovery to resolve that impact their ability to timely complete discovery and file testimony in accordance with the Third OEP.

The parties request a 30-day stay of this docket and a 30-day extension of all deadlines for discovery and testimony in the Third OEP, as amended by Order Nos. PSC-13-0257-PCO-EI and PSC-13-0283-PCO-EI. The parties assert that the requested stay and extension will allow them to focus their efforts exclusively to finalizing the issues, coordinating and agreeing to depositions and discovery, and potentially resolving their remaining discovery disputes.

Based upon a review of the motion, it is hereby granted. Accordingly, this proceeding is temporarily stayed for 30 days from the issuance date of this order. Upon the expiration of the 30-day stay, an order will be issued resetting the controlling dates for this proceeding, including the testimony filing deadlines and prehearing conference and hearing dates.

Based on the foregoing, it is

ORDERED by Commissioner Eduardo E. Balbis, as Prehearing Officer, that the Second Joint Motion of the Parties for a Temporary Stay and Extension of Deadlines in the Third Order Establishing Procedure As Amended By Order No. PSC-13-0257-PCO-EI and Order No. PSC-13-0283-PCO-EI is hereby granted. It is further

ORDERED that this proceeding is hereby temporarily stayed for 30 days from the issuance date of this order. It is further

ORDERED that, upon the expiration of the 30-day stay, an order will be issued resetting the controlling dates for this proceeding, including the testimony filing deadlines and prehearing conference and hearing dates.

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 19<sup>th</sup> day of June, 2013.



EDUARDO E. BALBIS  
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.

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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.

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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.