

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear cost recovery clause.

DOCKET NO. 130009-EI  
ORDER NO. PSC-13-0346-PCO-EI  
ISSUED: August 1, 2013

ORDER GRANTING OFFICE OF PUBLIC COUNSEL'S  
MOTION FOR LEAVE TO FILE AMENDED TESTIMONY

BY THE COMMISSION:

The Commission has scheduled its annual evidentiary hearing in the Nuclear Cost Recovery Clause (NCRC) docket for August 5-9, 2013. Pursuant to Order No. PSC-13-0063-PCO-EI, the Order Establishing Procedure issued January 29, 2013, the Office of Public Counsel (OPC) filed testimony, on June 20, 2013, on behalf of its witness, Dr. William R. Jacobs, Jr. On July 5, 2013, Florida Power & Light Company (FPL) filed rebuttal testimony on behalf of its witness Mr. Terry O. Jones. In light of the representations and clarifications presented by Witness Jones, Witness Jacobs has amended his prefiled testimony and exhibits to remove the assertion that FPL knowingly understated its projection of the Turkey Point Extended Power Uprate project for calendar year 2012. The deletions include OPC exhibits WRJ-4 through WJR-6 and references to the August 16, 2012 internal cost review document, as well as related material. The amended testimony was attached to OPC's motion and the proposed changes to the testimony consist entirely of deleting material. No new material was added to the original testimony as filed on June 20, 2013.


FPL has stated that it does not oppose this motion. No other party has objected to the motion and the time for filing any objection to this motion has expired. The scheduled time for filing testimony is not a jurisdictional deadline and there is no evidence or assertion that any party would be harmed by granting this motion.

I find sufficient justification to grant OPC's motion based on the facts asserted in the motion and the fact that none of the parties in this docket have filed an objection to this motion.

Based on the foregoing, it is

ORDERED by Commissioner Eduardo E. Balbis, as Prehearing Officer, that the Office of Public Counsel's Motion for Leave to File Amended Testimony is granted.

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 1st day of August, 2013.



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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.

MTL

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.