

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost recovery clause.

DOCKET NO. 130007-EI
ORDER NO. PSC-13-0424-PCO-EI
ISSUED: September 18, 2013

ORDER GRANTING FLORIDA POWER & LIGHT'S
MOTION FOR ONE-DAY ENLARGEMENT
OF DEADLINE TO FILE REBUTTAL TESTIMONY

On September 13, 2013, DeSoto County Generating Company, LLC (DeSoto) filed a Petition to Intervene (Petition) in this docket. On that same day, DeSoto filed the prefiled testimonies and exhibits of Kathy A. French and Carolyn Wass (collectively DeSoto Testimony). The DeSoto Testimony was not served until Saturday, September 14, 2013, one day after the date established by the Order Establishing Procedure.

On September 16, 2013, Florida Power & Light Company (FPL) filed its Motion for One-Day Enlargement of Deadline to File Rebuttal Testimony (Motion). FPL asserts that the DeSoto Testimony addresses significant issues related to requests filed by FPL in this docket. FPL argues that the DeSoto Testimony overlaps with the issues addressed by at least one other intervenor witness and that, because the Commission may ultimately grant DeSoto's Petition, FPL must plan to address the DeSoto Testimony. Because FPL received the DeSoto Testimony one day late, FPL requests a one-day extension of the rebuttal testimony filing deadline to address issues raised by all intervenors. FPL asserts that the one day enlargement will not prejudice any party and that DeSoto, the Office of Public Counsel, and the Florida Industrial Power Users Group do not object to the Motion. Commission staff has confirmed that White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs also does not object to the Motion.

Upon review, I shall grant FPL's Motion and thereby extend, until close of business on September 27, 2013, FPL's rebuttal testimony filing deadline in this docket.

ORDER NO. PSC-13-0424-PCO-EI

DOCKET NO. 130007-EI

PAGE 2

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that, as set forth in the body of this Order, Florida Power & Light Company's September 16, 2013 Motion for One-Day Enlargement of Deadline to File Rebuttal Testimony is hereby granted.

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 18th day of September, 2013.



EDUARDO E. BALBIS
Commissioner and Prehearing Officer
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

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.