

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery
clause.

DOCKET NO. 140002-EG
ORDER NO. PSC-14-0496-PCO-EG
ISSUED: September 18, 2014

ORDER GRANTING UNOPPOSED JOINT MOTION FOR EXTENSION OF TIME

Pursuant to Rule 25-17.015(1), Florida Administrative Code (F.A.C.), the Florida Public Service Commission (Commission) has set a hearing in its continuing Energy Conservation Cost Recovery (ECCR) docket for October 22-24, 2014. By Order No. PSC-14-0085-PCO-EG, the Order Establishing Procedure, issued February 4, 2014, dates were established for a number of prehearing activities, including dates for the pre-filing of testimony. According to that Order, Florida Power & Light Company (FPL), Duke Energy Florida, Inc., Tampa Electric Company (TECO), Gulf Power Company, and Florida Public Utilities Company's (collectively, Utilities) Rebuttal Testimony and Exhibits were due on September 12, 2014. On September 9, 2014, TECO and FPL filed a Joint Motion for Extension of Time to File their Rebuttal Testimony and Exhibits (Joint Motion) on September 24, 2014.

In support of their Joint Motion, TECO and FPL contend that the Intervenor Prefiled Testimony filed by the Florida Industrial Power Users Group (FIPUG) and Walmart Stores East, LP and Sam's East, Inc. (collectively, Walmart) initiated a discussion regarding the ability to opt-out of paying for the cost of energy conservation programs. TECO and FPL argue that the opt-out proposal is a significant departure from the manner in which conservation programs have been administered and funded. Therefore, TECO and FPL request additional time to submit rebuttal testimony to be able to provide additional information for the Commission to "better focus on the monumental changes these intervenors are proposing and to ensure a fair and orderly consideration of the impacts of any such significant change." No parties to this docket object to the granting of the Joint Motion.

Upon review, TECO and FPL's Joint Motion is reasonable and is hereby granted. It appears that no party will be prejudiced by an extension to September 24, 2014, and no party has objected. Therefore, TECO and FPL shall have until September 24, 2014, to file their rebuttal testimony and exhibits.

Based on the foregoing, it is hereby

ORDERED by Commissioner Julie I. Brown, as Prehearing Officer, that the Joint Motion for Extension of Time to File Rebuttal Testimony and Exhibits is granted. It is further

ORDERED that Tampa Electric Company and Florida Power & Light Company shall file their Rebuttal Testimony and Exhibits by September 24, 2014. It is further

ORDERED that Order No. PSC-14-0085-PCO-EG is reaffirmed in all other aspects.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this 18th day of September, 2014.



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.

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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. 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.