

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval to include in base rates the revenue requirement for the CR3 regulatory asset, by Duke Energy Florida, Inc.

DOCKET NO. 150148-EI

In re: Petition for issuance of nuclear asset-recovery financing order, by Duke Energy Florida, Inc. d/b/a Duke Energy.

DOCKET NO. 150171-EI  
ORDER NO. PSC-15-0340-PCO-EI  
ISSUED: August 21, 2015

**FIRST ORDER MODIFYING  
ORDER ESTABLISHING PROCEDURE**

By Order No. PSC-15-0238-PCO-EI (Order Establishing Procedure), issued June 5, 2015, Docket No. 150148-EI was set for hearing and procedures and controlling dates were established. By Order No. PSC-15-0327-PCO-EI (Consolidation Order), issued August 13, 2015, Docket Nos. 150148-EI and 150171-EI were consolidated into Docket No. 150171-EI. The consolidated proceeding has been scheduled for a formal evidentiary hearing on October 14-16, 2015. Pursuant to the Consolidation Order, the procedures established by the Order Establishing Procedure continue to govern the consolidated proceeding unless modified by the Commission.

Accordingly, the discovery procedures and controlling dates established by the Order Establishing Procedure shall be revised as set forth below:

**Discovery Procedures**

Interrogatories, including all subparts, shall be limited to 500. Requests for production of documents, including all subparts, shall be limited to 300. Requests for admissions, including all subparts, shall be limited to 200.

**Controlling Dates**

<b><u>Activity</u></b>	<b><u>Existing Date</u></b>	<b><u>Modified Date</u></b>
<u>For Docket No. 150171-EI:</u>		
Intervenor Testimony and Exhibits	n/a	September 4, 2015
Staff Testimony and Exhibits, if any	n/a	September 4, 2015
Utility Rebuttal Testimony and Exhibits	n/a	September 14, 2015
Prehearing Statements	n/a	September 21, 2015
Discovery Deadline	n/a	September 25, 2015
Prehearing Conference	n/a	October 1, 2015

<u>Activity</u>	<u>Existing Date</u>	<u>Modified Date</u>
<u>For Docket No. 150148-EI:</u>		
Prehearing Statements	September 14, 2015	September 21, 2015
Discovery Deadline	September 21, 2015	September 25, 2015
Prehearing Conference	September 24, 2015	October 1, 2015

All other dates in the Order Establishing Procedure shall remain the same.

Based upon the foregoing, it is

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that the discovery procedures and controlling dates established in Order No. PSC-15-0238-PCO-EI are modified as set forth in this Order. It is further

ORDERED that Order No. PSC-15-0238-PCO-EI is reaffirmed in all other respects.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 21st day of August, 2015.

  
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RONALD A. BRISE  
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.