

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida Power & Light Company.

DOCKET NO. 160021-EI

In re: Petition for approval of 2016-2018 storm hardening plan, by Florida Power & Light Company.

DOCKET NO. 160061-EI

In re: 2016 depreciation and dismantlement study by Florida Power & Light Company.

DOCKET NO. 160062-EI

In re: Petition for limited proceeding to modify and continue incentive mechanism, by Florida Power & Light Company.

DOCKET NO. 160088-EI  
ORDER NO. PSC-16-0300-PCO-EI  
ISSUED: July 27, 2016

THIRD ORDER REVISING ORDER ESTABLISHING PROCEDURE

Pursuant to the authority granted by Rule 28-106.211, Florida Administrative Code (F.A.C.), the procedural orders previously issued in this consolidated docket are hereby modified as follows:

Section VI.A(8), shall be deleted in its entirety and the following language substituted:

(8) Any objections to a witness' qualifications as an expert. The objection shall identify each witness the party wishes to voir dire as well as state with specificity the portions of that witness' pre-filed testimony, by page and line number, and/or exhibits, by page and line number, to which the party objects. Failure to specifically identify the portions of the pre-filed testimony or exhibits to which the party objects will result in restriction of a party's ability to conduct voir dire absent a showing of good cause at the time the witness is offered for cross-examination at hearing.

Additionally, Subsection (10) shall be added to Section VI.A, Prehearing Statements:


(10) A request for sequestration of witnesses. Failure to make such a request shall constitute a waiver of the right to request sequestration of witnesses absent a showing of good cause.

Therefore, it is

ORDERED by Lisa Polak Edgar, as Prehearing Officer, that Order No. PSC-16-0125-PCO-EI, issued on March 25, 2016, shall be modified as stated above. It is further

ORDERED that Order Nos. PSC-16-0125-PCO-EI, PSC-16-0182-PCO-EI, and PSC-16-0211-PCO-EI, issued on March 25, May 4 and May 27, 2016, respectively, are hereby reaffirmed to the extent not inconsistent with this Order.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 27th day of July, 2016.

  
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LISA POLAK EDGAR  
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.