

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Analysis of IOUs' hedging practices.

DOCKET NO. 170057-EI  
ORDER NO. PSC-17-0182-PCO-EI  
ISSUED: May 17, 2017

FIRST ORDER REVISING ORDER ESTABLISHING PROCEDURE;  
ORDER GRANTING MOTION TO MODIFY FILING DATES

On May 3, 2017, the Sierra Club filed a Motion to Extend Intervenor's Testimony Deadline and Utility Rebuttal Testimony (Motion). In its Motion the Sierra Club has requested that Order No. PSC-17-0132-PCO-EI,<sup>1</sup> which establishes the procedures and filing deadlines to be followed in this docket, be modified as follows: 1) extend the Intervenor testimony filing date from August 3, 2017 to August 10, 2017; 2) extend Commission staff's testimony filing date from August 3, 2017 to August 10, 2017; and 3) extend the investor-owned utilities' rebuttal testimony from August 25, 2017 to September 1, 2017.

The Sierra Club has contacted all parties to this docket and states that: the Office of Public Counsel (OPC) and Florida Industrial Power Users Group (FIPUG) support the motion; Duke Energy Florida, LLC (DEF), Florida Power & Light Company (FPL), Gulf Power Company (Gulf) and Tampa Electric Company (TECO) do not oppose the motion; PCS Phosphate – White Springs takes no position; and Commission staff takes no position but would also like its filing date moved to August 10, 2017, if the modifications to Intervenor and utility testimony are granted.

Order PSC-17-0132-PCO-EI allows parties 20 days to respond to discovery requests made after the filing of the utility's direct testimony and 10 days to respond to discovery requests made regarding rebuttal testimony. Absent an extension, the Sierra Club has only 30 days to draft and serve discovery and incorporate information provided in those responses into its direct testimony. The Sierra Club states that the additional week sought will allow it an adequate opportunity to conduct these activities.

This is an unopposed motion which retains the same amount of time as in the original schedule for the utilities to respond to Intervenor and Commission staff testimony. Thus, there is no detriment to any party by granting this motion. In light of these facts, I find that extending the time for filing Intervenor, Commission staff, and rebuttal testimony will allow the parties to more fully develop the record for the full Commission's consideration at hearing.

Based on the foregoing, it is

ORDERED by Ronald A. Brisé, as Prehearing Officer, that the Sierra Club's Motion to Extend Intervenor's Testimony Deadline and Utility Rebuttal Testimony is hereby granted. It is further

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<sup>1</sup> Order No. PSC-17-0132-PCO-EI, issued April 13, 2017, in Docket No. 170057-EI, In re: Analysis of IOU's hedging practices.

ORDERED that Section VIII, Controlling Dates, of Order No. PSC-17-0132-PCO-EI, issued on April 13, 2017, is hereby modified as follows:

- |     |  |                   |
|-----|--|-------------------|
| (2) | Intervenor's testimony and exhibits    | August 10, 2017   |
| (3) | Staff's testimony and exhibits, if any | August 10, 2017   |
| (4) | Rebuttal testimony and exhibits        | September 1, 2017 |

It is further

ORDERED that Order No. PSC-17-0132-PCO-EI, issued on April 13, 2017, is hereby reaffirmed to the extent not inconsistent with this Order.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 17th day of May, 2017.



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RONALD A. BRISÉ  
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.

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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.