

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Irma and Nate, by Duke Energy Florida, LLC.

DOCKET NO. 20170272-EI
ORDER NO. PSC-2018-0487-PCO-EI
ISSUED: September 27, 2018

SECOND ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

On December 28, 2017, pursuant to Rules 28-106.201 and 25-6.0143, Florida Administrative Code (F.A.C.), and Order No. PSC-2017-0451-AS-EU,¹ Duke Energy Florida, LLC, (DEF) filed its application for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Irma and Nate. The Order Establishing Procedure, Order No. PSC-2018-0082-PCO-EI (Procedural Order), was issued on February 16, 2018, in which hearing procedures were established to govern this docket, including controlling dates and discovery response times. On March 7, 2018, Order No. PSC-2018-0127-PCO-EI was issued to modify the controlling dates in Section VIII of the Procedural Order. On August 18, 2018, Duke Energy Florida, LLC (DEF) filed a Motion for Continuance in this docket to process, review, and organize a large amount of cost data and associated information pertaining to restoration costs. DEF requested that the hearing be held no earlier than May 2019. The Office of Public Counsel, the Florida Retail Federation, and White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate-White Springs did not oppose the Motion, and the Florida Industrial Power Users Group took no position. By Order No. PSC-2018-0410-PCO-EI, issued on August 20, 2018, DEF's Motion for Continuance was granted.

At this time, it is necessary to modify the Procedural Order to establish new controlling dates and modify discovery response times.

As such, Section VIII of the Procedural Order shall be modified and the following due dates are hereby established to govern the key activities of this case:

VIII. Controlling Dates

The following dates have been established to govern the key activities of this case:

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| (1) Utility's supplemental filing | January 28, 2019 |
| (2) Intervenors' testimony and exhibits | March 29, 2019 |
| (3) Staff's testimony and exhibits, if any | April 5, 2019 |

¹ Order No. PSC-2017-0451-AS-EU, issued on November 20, 2017, in Docket No. 20170183-EI, In re: Application for limited proceeding to approve 2017 second revised and restated settlement agreement, including certain rate adjustments, by Duke Energy Florida, LLC.

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| (4) | Rebuttal testimony and exhibits | April 15, 2019 |
| (5) | Prehearing Statements | April 22, 2019 |
| (6) | Discovery deadline | May 3, 2019 |
| (7) | Prehearing Conference | May 6, 2019 |
| (8) | Hearing | May 21-24, 2019 |
| (9) | Briefs | June 19, 2019 |

Additionally, the discovery response times, found in Section IV, Subsection A(6), Discovery Procedures, of the Procedural Order, shall be modified as follows:

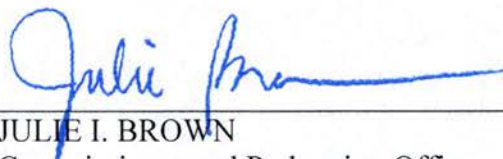
- (6) For discovery requests made prior to the filing of the utility's rebuttal testimony, discovery responses shall be served within **20** days (inclusive of mailing) of receipt of the discovery request. For discovery requests related to matters addressed in the utility's rebuttal testimony, discovery responses shall be served within **15** days of receipt of the discovery request.

Based on the foregoing, it is hereby

ORDERED by Commissioner Julie I. Brown, as Prehearing Officer, that Order No. PSC-2018-0082-PCO-EI is modified as set forth in the body of this Order. It is further

ORDERED that all other provisions of Order No. PSC-2018-0082-PCO-EI not inconsistent with this Order shall remain in full force and effect.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this 27th day
of September, 2018.



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.