

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for recovery of costs associated with named tropical systems during the 2015, 2016, and 2017 hurricane seasons and replenishment of storm reserve subject to final true-up, Tampa Electric Company.

DOCKET NO. 20170271-EI  
ORDER NO. PSC-2019-0042-PCO-EI  
ISSUED: January 16, 2019

THIRD 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-2017-0456-S-EI,<sup>1</sup> Tampa Electric Company (TECO) filed its Petition for Recovery of Costs Associated with Named Tropical Systems and Replenishment of Storm Reserve. The Order Establishing Procedure, Order No. PSC-2018-0081-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-2018-0126-PCO-EI was issued to modify the controlling dates in Section VIII of the Procedural Order. Order No. PSC-2018-0486-PCO-EI, issued on September 27, 2018, further modified these dates along with revising the discovery response times required in the docket. On January 14, 2019, TECO filed a Motion to Revise Schedule (Motion) in this docket to facilitate the preparation and submission of testimony and the completion of discovery by the affected parties in this docket. In this Motion, TECO requested revisions to the dates for the filing of testimony and the completion of discovery. TECO represents that the Office of Public Counsel and other consumer parties in this docket have agreed to the revisions of dates as proposed by TECO. All other dates, including the hearing, remain unchanged. Upon review, TECO's request appears reasonable and, as represented by TECO, the revisions have been agreed to by the parties in this docket.

Based on the above, TECO's motion is hereby granted. Therefore, it is necessary to modify the Procedural Order to establish new controlling dates. 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 revised dates are established to govern the key activities of this case:

- |   |                  |
|---|------------------|
| (1) Utility's supplemental filing       | February 8, 2019 |
| (2) Intervenors' testimony and exhibits | April 8, 2019    |

<sup>1</sup> Order No. PSC-2017-0456-S-EI, issued on November 27, 2017, in Docket No. 20170210-EI, In re: Petition for limited proceeding to approve 2017 amended and restated stipulation and settlement agreement by Tampa Electric Company.

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|-----|--|------------------------------|
| (3) | Staff's testimony and exhibits, if any | April 8, 2019                |
| (4) | Rebuttal testimony and exhibits        | April 22, 2019               |
| (5) | Prehearing Statements                  | April 29, 2019               |
| (6) | Discovery deadline                     | May 10, 2019                 |
| (7) | Prehearing Conference                  | May 13, 2019                 |
| (8) | Hearing                                | May 21-24, 2019 <sup>2</sup> |
| (9) | Briefs                                 | June 19, 2019                |

Based on the foregoing, it is hereby

ORDERED by Commissioner Julie I. Brown, as Prehearing Officer, that Order No. PSC-2018-0081-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-2018-0081-PCO-EI not inconsistent with this Order shall remain in full force and effect.

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<sup>2</sup> It is noted that the hearing in this docket will immediately precede the hearing in Docket No. 20170272-EI, *In re: Application for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Irma and Nate, by Duke Energy Florida, LLC.*, also scheduled for May 21-24, 2019.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this 16th day of January, 2019.



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.