

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition for approval of regulatory improvements for decentralized solar net-metering systems in Florida.

DOCKET NO. 20190176-EI  
ORDER NO. PSC-2019-0514-PCO-EI  
ISSUED: December 9, 2019

ORDER DENYING MOTION FOR STAY

On September 3, 2019, Achim Ginsberg-Klemmt, Christopher Pierce, Darrell Prather, Geoffrey P. Dorney, Jeffrey L. Hill, John Bachmeier, J. Robert Barnes, Paul Romanoski, Terry Langlois, and Robert Winfield filed a Joint Petition for Approval of Regulatory Improvements for Decentralized Solar Net-Metering Systems in Florida (Joint Petition). By Order No. PSC-2019-0410-FOF-EI, issued October 10, 2019, the Commission ordered that the Joint Petition be treated as a petition to initiate rulemaking to amend Rule 25-6.065, Florida Administrative Code, Interconnection and Net Metering of Customer-Owned Renewable Generation. Further, the Commission denied the Joint Petition.

On October 21, 2019, Mr. Ginsberg-Klemmt (Petitioner) filed a timely Motion for Reconsideration of Order No. PSC-2019-0410-FOF-EI, along with a Request for Oral Argument. Petitioner then filed a Notice of Appeal on November 4, 2019. The appeal is being held in abeyance by the Florida Supreme Court in order for the Commission to rule on the Motion for Reconsideration.

Commission staff filed its recommendation on the Motion for Reconsideration and Request for Oral Argument on November 26, 2019. On December 3, 2019, Petitioner filed a Motion for Stay in which Petitioner requests “that the ruling on the Motion For Reconsideration be stayed until the Commission has issued their final ruling on PSC Petition 20190167-EI.” The Commission is scheduled to consider Petitioner’s Motion for Reconsideration and Request for Oral Argument and vote on staff’s recommendation at its December 10, 2019 Agenda Conference.

Having reviewed the motion, I find that Petitioner has not provided reasonable justification to stay this docket. Therefore, the motion is denied.

Based on the foregoing, it is

ORDERED by Commissioner Gary F. Clark, as Prehearing Officer, that the Motion for Stay is hereby denied.

By ORDER of Commissioner Gary F. Clark, as Prehearing Officer, this 9th day of December, 2019.



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GARY F. CLARK  
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.