

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for evaluation of Hurricane
Dorian storm costs, by Florida Power & Light
Company.

DOCKET NO. 20200172-EI
ORDER NO. PSC-2021-0060-PCO-EI
ISSUED: January 28, 2021

ORDER GRANTING JOINT MOTION FOR CONTINUANCE

On January 27, 2021, Florida Power & Light Company (FPL) and the Office of Public Counsel (OPC), collectively referred to herein as the Joint Movants, filed a Joint Motion for Continuance of the Prehearing Conference Scheduled for February 1, 2021, and Final Hearing Scheduled for February 23-24, 2021, and to Hold Case in Abeyance (Joint Motion). FPL and OPC are the only parties in this case at this time.

The Joint Movants state that they have engaged in settlement negotiations and have reached agreement on terms that will resolve all of the issues raised in this docket. The terms and conditions of the proposed settlement have been reduced to writing and are contained on a Term Sheet which has been signed by OPC's Deputy Public Counsel and FPL's Vice President and General Counsel. However, there are procedural issues which currently prevent the Joint Movants from executing a settlement agreement based on the Term Sheet for Commission consideration. The Joint Movants expect that these procedural issues will be resolved by March 1, 2021, and that an executed settlement agreement will be filed with the Commission for approval shortly thereafter.

The Joint Movants aver that granting the Joint Motion will prevent the parties and Commission staff from engaging in unnecessary trial preparation. They further argue that since FPL has not asked for Hurricane Dorian storm cost recovery through either the imposition of a storm surcharge or depletion of the storm reserve, there is no prejudice to FPL's customers if the currently scheduled prehearing and hearing are cancelled and the case is abated until the expected settlement agreement is filed for consideration before the Commission.

Based on a review of the Joint Motion, the Joint Movants' request to continue the currently scheduled prehearing and final hearing to dates hereafter to be determined and to hold in abeyance all other matters pertaining to this docket pending the execution and filing of a settlement agreement with the Commission is hereby deemed reasonable and reduces unnecessary and time-consuming litigation preparation by the parties and Commission staff.

Therefore, it is

ORDERED by Julie I. Brown, as Prehearing Officer, that the Joint Motion for Continuance of the Prehearing Conference Scheduled for February 1, 2021, and Final Hearing Scheduled for February 23-24, 2021, and to Hold Case in Abeyance is hereby granted. It is further

ORDERED that the Prehearing Conference scheduled for February 1, 2021, and the February 23-24, 2021 final hearing are continued until a date to be determined. It is further

ORDERED that all other matters pertaining to this docket are held in abeyance pending the execution and filing of a settlement agreement for Commission consideration.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this 28th day of January, 2021.



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

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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.