

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Application of Gulf Power Company)
 for a rate increase.)
 _____)

DOCKET NO. 891345-EI
 ORDER NO. 22750
 ISSUED: 3-29-90

ORDER PARTIALLY GRANTING CITIZENS'
 MOTION TO ESTABLISH TESTIMONY DUE DATES
AND SETTING PROCEDURAL SCHEDULE

On March 20, 1990, the Office of Public Counsel (OPC) through their attorney, Jack Shreve, filed a motion to establish testimony due dates. In its motion, OPC requested that the testimony due date for all intervenors in the above docket be set no sooner than May 7, 1990.

OPC states that no procedural order has been issued in this docket and that May 7 would be a time period consistent with that of the withdrawn Gulf Power Company rate case docket, Docket No. 881167-EI. Although OPC is correct in stating that there has been no procedural order issued in this docket, there was a Case Assignment and Scheduling Record (CASR) issued which set the date on which intervenor and Staff testimony was due as March 26, 1990. This CASR was issued and approved by Chairman Wilson on January 23, 1990, roughly two months prior to the filing of OPC's motion.

Having reviewed OPC's motion and considered the facts presented above, we grant OPC's motion in part and set the due date for intervenor and Staff testimony as April 27, 1990. This gives OPC approximately one month more time than initially reflected on the CASR. We note that all other parties to the docket have agreed to, and can file their testimony on, this date.

In addition to the testimony due date established above, the following schedule will be followed in this docket:

Issue Statements	May 3, 1990
Pre-prehearing	May 9, 1990
Rebuttal testimony	May 15, 1990
Prehearing statements	May 15, 1990
Prehearing	May 22, 1990
Hearings	June 11-15, 1990
	June 18-22, 1990

DOCUMENT NUMBER-DATE

02781 MAR 29 1990

PSC-RECORDS/REPORTING

ORDER NO. 22750
DOCKET NO. 891345-EI
PAGE 2

Briefs

July 9, 1990

By Order of Commissioner John T. Herndon, Prehearing
Officer, this 29th day of MARCH, 1990.

John T. Herndon
Commissioner John T. Herndon,
Prehearing Officer

(S E A L)
SBr/03501

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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 sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.