

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power  
cost recovery clause and  
generating performance incentive  
factor.

DOCKET NO. 970001-EI  
ORDER NO. PSC-97-0886-PCO-EI  
ISSUED: July 25, 1997

ORDER GRANTING EXTENSION OF  
TIME TO FILE REBUTTAL TESTIMONY

On July 2, 1997, the Order Establishing Procedure, Order No. PSC-97-0794-PCO-EI, was issued in this Docket. Pursuant to that Order, rebuttal testimony and exhibits were due to be filed on July 21, 1997.

However, because the Case Assignment and Scheduling Record (CASR) reflected a rebuttal testimony filing date of July 28, 1997, there was some confusion among the parties in this proceeding as to which date controlled.

Tampa Electric Company (TECO) filed rebuttal testimony pursuant to the Order Establishing Procedure and the Order Denying Motion For Extension of Time to File Rebuttal Testimony, Order No. PSC-97-0867-PCO-EI, July 18, 1997. No other party filed rebuttal testimony.

The CASR is merely an internal planning document and the Order Establishing Procedure controls the filing requirements in this proceeding. Notwithstanding that, in an effort to provide all the parties with adequate time to file rebuttal testimony, the Order Establishing Procedure is hereby amended to allow all the parties in this proceeding, except TECO, until July 28, 1997, to file rebuttal testimony.

TECO shall have an additional two days to supplement its previously filed rebuttal testimony in the event any of the parties addresses issues specific to TECO in their rebuttal testimony. TECO shall file its supplementary rebuttal, if any, on July 30, 1997.

DOCUMENT NUMBER-DATE

07532 JUL 25 97

FPSC-RECORDS/REPORTING

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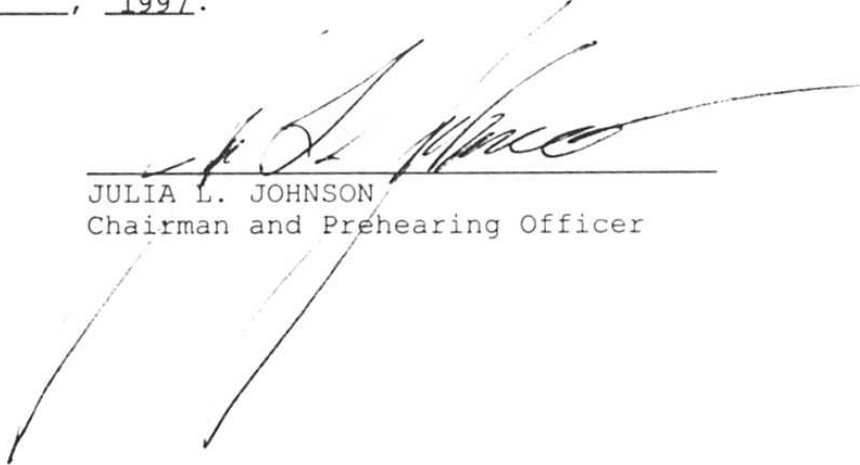
Based on the foregoing, it is

ORDERED by Chairman Julia L. Johnson, as Prehearing Officer, that the Controlling Dates set forth in Order No. PSC-97-0794-PCO-EI are hereby revised as follows:

Rebuttal Testimony - All Parties excluding TECO      July 28, 1997  
Supplemental Rebuttal Testimony - TECO                      July 30, 1997

All of the remaining dates set forth in the Order Establishing Procedure, Order No. PSC-97-0794-PCO-EI, July 2, 1997, shall remain in full force and effect.

By ORDER of Chairman Julia L. Johnson, as Prehearing Officer, this 25th day of July, 1997.



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JULIA L. JOHNSON  
Chairman and Prehearing Officer

( S E A L )

LJP

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.

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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, 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 wastewater 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.