

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Adoption of Numeric
Conservation Goals by Tampa
Electric Company.

DOCKET NO. 971007-EG
ORDER NO. PSC-99-1263-PCO-EG
ISSUED: June 29, 1999

ORDER GRANTING MOTION TO TOLL TIME FOR FILING TESTIMONY

On June 24, 1999, the Legal Environmental Assistance Foundation, Inc. (LEAF), filed a Motion to Toll Time for Filing Testimony in this docket. The Motion states that LEAF and Tampa Electric Company (TECO) "are currently engaged in settlement negotiations" in this proceeding. LEAF further states: "Tolling time for filing testimony is essential if LEAF is to continue to discuss settlement with TECO. It is not possible to simultaneously consider and discuss TECO's settlement proposal and undertake the activities necessary to prepare and timely file its testimony..."

Currently, LEAF's testimony is due to be filed no later than July 8, 1999. LEAF alleges that "preparing and filing testimony will require LEAF to incur significant expenses for consultant services." Therefore, LEAF asks that the Commission toll the time for filing testimony in this docket "for a reasonable period of time to allow LEAF and TECO to discuss settlement in this case. TECO agrees with the granting of the motion. The Florida Industrial Power Users Group (FIPUG), the only other party in this docket, takes no position on the motion.

Having reviewed the motion, and being otherwise advised in the premises, I find that it should be granted. To allow the parties to attempt to negotiate a settlement, the time for filing further testimony in this docket shall be tolled. If no settlement is filed for Commission approval by July 9, 1999, revised filing dates for testimony will be established. It is the Prehearing Officer's intent that the granting of this motion will not delay the hearing set for August 18-20, 1999 in this docket.

Based on the foregoing, it is

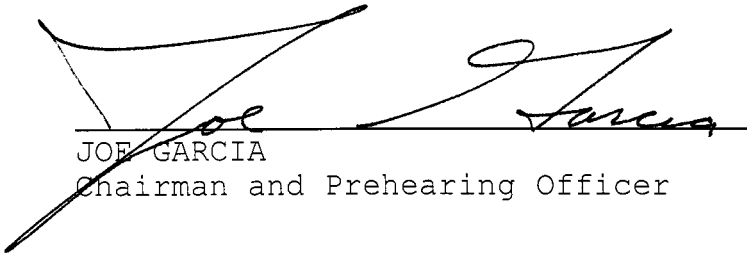
ORDERED by the Chairman Joe Garcia, as Prehearing Officer, that the Legal Environmental Assistance Foundation, Inc.'s Motion to Toll Time for Filing Testimony is granted, as set forth in this order.

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By ORDER of Chairman Joe Garcia, as Prehearing Officer, this
29th day of June, 1999.



JOE GARCIA
Chairman and Prehearing Officer

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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, 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

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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.