

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

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RECORDS AND
REPORTING

IN RE: INVESTIGATION INTO THE EARNINGS
AND AUTHORIZED RETURN ON EQUITY
OF GULF POWER COMPANY

PSC Docket No. 990250-EI

ORIGINAL

IN RE: PETITION OF GULF POWER COMPANY
FOR APPROVAL OF PROPOSED PLAN FOR
AN INCENTIVE REVENUE SHARING
MECHANISM THAT ADDRESSES CERTAIN
REGULATORY ISSUES INCLUDING A
REDUCTION TO THE COMPANY'S
AUTHORIZED RATE OF RETURN

THE COALITION'S MOTION TO RECONSIDER
ORDER ESTABLISHING PROCEDURE

Petitioner, the COALITION FOR EQUITABLE RATES ("Coalition") petitions for reconsideration of Order No. PSC-99-1633-PCO-EI (the "Order") issued in Docket No. 990250-EI, pursuant to Rules 25-22.0376 and 25-22.060, Florida Administrative Code. In support of this Motion, the Coalition states:

1. Previously, a preliminary Time Schedule (CASR) for Docket 990250-EI indicated that a Final Hearing would be scheduled for January 25, 2000. Intervenor testimony would have been due on October 25, 1999 under this schedule. A copy of

that Time Schedule is attached as Exhibit A.

2. On August 23, 1999, Commissioner and Prehearing Officer J. Terry Deason issued an Order Establishing Procedure in this docket which, for unexplained reasons, advanced the Final Hearing by three months, scheduling it for November 1,

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1999. That Order also compressed the time allotted between key activities. Intervenor testimony is now due on September 20, 1999. A copy of that Order is attached as Exhibit B.

3. The Coalition will call Charlie King of Washington D.C. as its primary expert in this matter. Mr. King has been on vacation since the August 23, 1999 issuance of the Prehearing Order and is not scheduled to return until September 7, 1999.

4. The Coalition requests that the Commission extend the deadline for Intervenor's testimony in this case for a period of two weeks in order to allow adequate time for preparation of its expert and testimony. Thus, the Coalition seeks that its direct testimony and exhibits be presented on October 4, 1999.

5. The Coalition would correspondingly request that the schedule of other key activities be likewise extended in order to avoid prejudice to any party, while maintaining the same date for Hearing and the filing of Briefs as established in the Order Establishing Procedure. Thus, the following revised schedule is sought:

- | | | |
|-----|--|-------------------|
| 1.) | Utility's and Intervenor's direct testimony and exhibits | October 4, 1999 |
| 2.) | Staff's Direct testimony and exhibits, if any | October 11, 1999 |
| 3.) | Rebuttal testimony and exhibits | October 20, 1999 |
| 4.) | Prehearing statements | October 20, 1999 |
| 5.) | Prehearing conference | October 22, 1999 |
| 6.) | Hearing | November 1, 1999 |
| 7.) | Briefs | November 15, 1999 |

6. Gulf Power does not object to this Motion. Alternatively, both the Coalition and Gulf Power would not object to a schedule which continues the Hearing for a period of approximately two weeks, or until the week of November 15, 1999, with a Prehearing Conference on November 1, 1999 and Briefs due November 29, 1999. Staff for the Public Service Commission opposes this Motion.

WHEREFORE, the Coalition respectfully requests the PSC to enter an order modifying the Order Establishing Procedure as suggested above. Oral argument is respectfully requested.

Respectfully submitted this 1st day of September, 1999.

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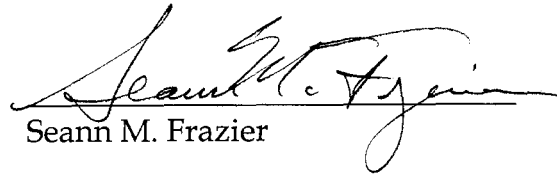
Florida Bar Id. 098614

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original, fifteen (15) copies, and a copy of the document on diskette has been furnished via Hand Delivery to Public Service Commission, Director, Division of Records and Reporting, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 and a copy has been furnished as indicated to the parties on the attached mailing list this 1st day of September, 1999.


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