

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of
Consumptive Water Use Monitoring
Activity and Smith Wetlands
Mitigation Plan as new programs
for cost recovery through the
Environmental Cost Recovery
Clause by Gulf Power Company.

DOCKET NO. 000808-EI
ORDER NO. PSC-01-1126-PCO-EI
ISSUED: May 16, 2001

ORDER REVISING PROCEDURAL SCHEDULE

Order No. PSC-00-2092-PAA-EI, issued on November 3, 2000, in this docket, denied the request of Gulf Power Company (Gulf) to recover wetland mitigation costs through the environmental cost recovery clause (ECRC). Wetland mitigation was required to offset the effects of construction of the new Smith Unit 3 facility. On November 27, 2000, Gulf filed a protest of the Order. The docket has been set for hearing to address Gulf's protest.

Order No. PSC-01-0277-PCO-EI, issued January 31, 2001, in this docket, established the schedule for this hearing. The dates for the hearing and prehearing conference have been revised to accommodate scheduling considerations. The new controlling dates for this docket are listed below:

- | | |
|--------------------------|--------------------|
| 1) Prehearing Statements | July 11, 2001 |
| 2) Prehearing Conference | July 25, 2001 |
| 3) Discovery Complete | August 23, 2001 |
| 4) Hearing | August 30, 2001 |
| 5) Briefs | September 24, 2001 |

Order No. PSC-01-0277-PCO-EI shall continue to control except as modified by this Order.

DOCUMENT NUMBER-DATE

06155 MAY 16 2001

PSC-RECORDS/REPORTING

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Based upon the foregoing, it is

ORDERED by Commissioner Michael A. Palecki, as Prehearing Officer, that the hearing in Docket No. 000808-EI shall be governed by the dates stated in this Order, unless modified by the Commission.

By ORDER of Commissioner Michael A. Palecki, as Prehearing Officer, this 16th day of May, 2001.



MICHAEL A. PALECKI
Commissioner and Prehearing Officer

(S E A L)

MKS

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

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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.