

In re: Review of GridFlorida  
Regional Transmission  
Organization (RTO) Proposal.

DOCKET NO. 020233-EI  
ORDER NO. PSC-02-1426-PCO-EI  
ISSUED: October 17, 2002

THIRD ORDER REVISING ORDER ESTABLISHING PROCEDURE,  
ABATING HEARING SCHEDULE, AND  
DEFERRING RULING ON PENDING MOTIONS

By Order No. PSC-02-1199-PAA-EI, issued September 3, 2002, the Commission decided to conduct an expedited evidentiary hearing on the merits of a revised GridFlorida market design proposal. In addition, the Commission voted to take proposed agency action (PAA) with respect to other aspects of the GridFlorida Regional Transmission Organization (RTO) proposal and determined that any requests for hearing on such proposed agency action should be addressed as part of the expedited proceeding on the market design petition. By Order No. PSC-02-1177-PCO-EI, issued August 29, 2002, the hearing on the GridFlorida market design issues was scheduled for October 31, 2002. By Order No. PSC-02-1251-PCO-EI, issued September 11, 2002, protested proposed agency action (PAA) issues from Order No. PSC-02-1199-PAA-EI were also set for hearing on October 31, 2002. By Order No. PSC-02-1412-PCO-EI, issued October 10, 2002, new controlling dates were established for filing testimony and exhibits with respect to both the market design and protested PAA issues.

On October 3, 2002, OPC filed a notice of administrative appeal of Order No. PSC-02-1199-PAA-EI to the Florida Supreme Court. On October 15, 2002, the Commission voted to abate the hearing scheduled in this docket, in light of the automatic stay which was effected by operation of law pursuant to Rule 9.310(b)(2), Florida Rules of Appellate Procedure.

In light of the Commission's decision to abate the hearing in this docket, the hearing schedule is hereby abated until further notice from the Commission. Accordingly, all controlling dates for this docket, including the filing of testimony and exhibits, prehearing conference and hearing, are abated, pending disposition of the appeal and any other further proceedings that may be deemed necessary. Further, a ruling on all pending motions is deferred

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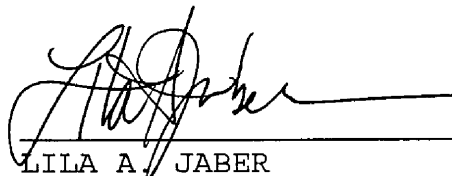
pending future disposition of this proceeding, and the time for filing responses to pending motions shall be tolled.

Based on the foregoing, it is

ORDERED by Chairman Lila A. Jaber, as Prehearing Officer, that the hearing schedule is hereby suspended until further notice from the Commission. It is further

ORDERED that a ruling on all pending motions is deferred pending future disposition of this proceeding, and the time for filing responses to pending motions shall be tolled.

By ORDER of Chairman Lila A. Jaber, as Prehearing Officer, this 17th day of October, 2002.



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LILA A. JABER  
Chairman and Prehearing Officer

( S E A L )

JSB

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 the Commission Clerk and Administrative Services, 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.