

REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER

Date of Request: 8/10/2009 Date of Agenda Conference: 8/18/2009 Item No. 4a

Docket No.: 080677-EI + 090079-EI Brief Title: FPL and PEF rate cases

Requested by: Staff Other _____
(Name)

Please attach a copy of the written documentation filed (IF OTHER)

STAFF's Recommendation to Executive Suite (IF OTHER) Approve Request Deny Request

ACTION REQUESTED [see APM 2.11]

- Defer Item to Agenda Scheduled Date: _____
- Change Order of Item or Take Up at Time Certain
- Withdraw Item (not expected to return to Agenda)
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation.
- Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

On Thursday, 8/6/09, staff filed a Motion to Compel certain discovery responses in both the FPL and PEF rate case dockets pertaining to employee compensation. On Friday, 8/7/09, FPL filed its response to the motion and PEF will file its response to the motion by noon today, 8/10/09. Staff requires the information sought by the discovery requests before the FPL rate case hearing begins on 8/24/09. For this reason, staff requests to file a recommendation by noon tomorrow, 8/11/09, to be added to the 8/18/09 agenda conference as Item 4a to be taken up immediately following Item 4, a related item concerning PEF and FPL's requests for confidential classification for the information at issue in the Motions to Compel.

Signature (Technical Staff): *Marshall Wilton*

Initials (Division Director or Designee): *TW*

Signature (Legal Staff): *Paul D.*

Initials (General Counsel or Designee): *BI*

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office

Initials: *MAB*

Comments:

Approve Request Deny Request
Date: *8/10/09*

CHAIRMAN'S OFFICE:

Initials: *WCG*

Approve Request Deny Request
Date: *8/10/09*

Executive Suite will send the original to the Office of Commission Clerk and return copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

DOCUMENT NUMBER-DATE

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RECEIVED-FPSC
09 AUG 11 AM 9:00
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