

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor.

DOCKET NO. 090001-EI
ORDER NO. PSC-09-0617-PCO-EI
ISSUED: September 10, 2009

ORDER GRANTING PROGRESS ENERGY FLORIDA, INC'S
SECOND MOTION FOR EXTENSION OF TIME

Case Background

As part of the Commission's continuing fuel and purchased power cost recovery and generating performance incentive factor proceedings, this docket was opened, and a hearing has been set for November 2-4, 2009. By Order No PSC-09-0142-PCO-EI, issued March 6, 2009, a procedural schedule was established setting forth the controlling dates for this docket. Currently, the Order Establishing Procedure (OEP) requires that Projection Testimony be filed by all investor-owned utilities on or before September 1, 2009.

On August 31, 2009, Progress Energy Florida, Inc. (PEF) filed its initial Motion for Extension of Time for submission of its projection schedules, testimony, and exhibits (Projection Testimony) in this docket, requesting permission to file its Projection Testimony on September 8, 2009. On September 8, 2009, PEF filed its Second Motion for Extension of Time to file its Projection Testimony, requesting permission to file its Projection Testimony on September 14, 2009.

Unopposed Motion

In its initial Motion, PEF stated that while preparing its Projection Testimony, PEF discovered it needed additional time to include the most up-to-date fuel information available. PEF initially requested a seven-day extension of time to file its Projection Testimony by September 8, 2009. PEF represented that the Office of Public Counsel (OPC) and intervenor witnesses in this proceeding do not object to this Motion.

In its Second Motion, PEF stated that it is still in the process of finalizing its Projection Testimony and needs additional time to file. PEF represented that the Office of Public Counsel (OPC) and intervenor witnesses in this proceeding do not object to this Second Motion. PEF requests an extension of time until September 14, 2009, to file its Projection Testimony.

Ruling and Revised Controlling Dates

Having reviewed both Motions, it appears that PEF has alleged sufficient grounds for an extension of time to file its Projection Testimony, and PEF's Second Motion for Extension of Time is hereby granted. PEF's Projection Testimony shall be filed no later than Tuesday, September 14, 2009. Because of the reduced time to conduct discovery on PEF's Projection

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Testimony, PEF shall serve its responses to requesting parties via electronic mail within 10 days of the date of the request. All other controlling dates established for this docket shall remain unchanged, unless further modified by the Prehearing Officer. In addition, because the Second Motion superseded PEF's initial Motion, there is no need to rule on the initial Motion.

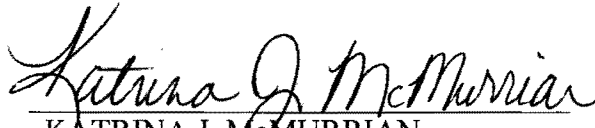
Based on the foregoing, it is

ORDERED by Commissioner Katrina J. McMurrin, as Prehearing Officer, that the Progress Energy Florida, Inc.'s Second Motion for Extension of Time is hereby granted as set forth in the body of this Order. It is further

ORDERED that Progress Energy Florida, Inc. shall serve responses to requesting parties regarding its projection schedules, testimony, and exhibits via electronic mail within 10 days of the date of the request. It is further

ORDERED that Order No PSC-09-0142-PCO-EI is reaffirmed in all other respects.

By ORDER of Commissioner Katrina J. McMurrin, as Prehearing Officer, this 10th day of September, 2009.


KATRINA J. McMURRIAN
Commissioner and Prehearing Officer

(SEAL)

ELS

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; or (2) 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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.