

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric conservation goals (Florida Power & Light Company).

DOCKET NO. 130199-EI

In re: Commission review of numeric conservation goals (Duke Energy Florida, Inc.).

DOCKET NO. 130200-EI

In re: Commission review of numeric conservation goals (Tampa Electric Company).

DOCKET NO. 130201-EI

In re: Commission review of numeric conservation goals (Gulf Power Company).

DOCKET NO. 130202-EI

In re: Commission review of numeric conservation goals (JEA).

DOCKET NO. 130203-EM

DATED: March 21, 2014

**JEA'S RESPONSE IN OPPOSITION TO
INTERVENORS' PROCEDURAL MOTIONS**

JEA, by and through its undersigned counsel, hereby responds in opposition to separate procedural motions filed by the Sierra Club and Southern Alliance for Clean Energy ("SACE") on March 14, 2014:

1. On August 19, 2013, the prehearing officer issued an Order Consolidating Dockets and Establishing Procedure (the "OEP"). See Order No. PSC-13-0386-PCO-EU. Among other things, the OEP set the final hearing date and location and established deadlines for filing utility direct testimony, intervenor testimony, and utility rebuttal testimony.

2. Sierra Club petitioned to intervene in these proceedings on December 18, 2013, and SACE petitioned to intervene in certain dockets on February 20, 2014. The Commission granted Sierra Club's and SACE's petitions on February 7, 2014, and March 18, 2014, respectively. See Order Nos. PSC-14-0097-PCO-EU and PSC-14-0135-PCO-EU. The

Commission's orders clearly state that “[p]ursuant to Rule 25-22.039, F.A.C., [the intervenor] takes the case as it finds it.” Id. at 3.

3. On March 14, 2014, Sierra Club and SACE filed separate procedural motions. Sierra Club’s motion seeks to: (a) extend Intervenors' direct testimony deadline by six weeks and extend the remaining controlling dates by a similar timeframe; (b) expedite discovery by limiting the response time to 14 days; and (c) schedule a hearing in central Florida for the purpose of taking public testimony. SACE’s motion endorses Sierra Club’s request to extend the time for filing Intervenor testimony and expedite discovery. In the alternative, SACE proposes to extend the deadline for filing Intervenor testimony to at least May 19, 2014.

4. Neither motion sets forth good cause to alter the long-established schedule in this proceeding at this late date. Moreover, Sierra Club’s request to expand the hearing schedule is unwarranted and would cause the Commission and parties to expend undue resources. All stakeholders in the goal setting process will have a full opportunity to be represented at the hearing as currently scheduled. Intervenors’ attempts to restructure the schedule for these proceedings seven months after the OEP and only two weeks ahead of the utilities’ filing of testimony and exhibits are inappropriate and should be denied.

Respectfully submitted this 21st day of March, 2014.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail and U.S. mail, this 21st day of March, 2014, to the following:

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