

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of a purchase and sale agreement between Florida Power & Light Company and Calypso Energy Holdings, LLC, for the ownership of the Indiantown Cogeneration LP and related power purchase agreement.

DOCKET NO. 160154-EI
ORDER NO. PSC-16-0309-PCO-EI
ISSUED: August 1, 2016

FIRST ORDER REVISING ORDER ESTABLISHING PROCEDURE AND
GRANTING MOTION FOR EXTENSION OF TIME TO FILE
TESTIMONY AND EXHIBITS

On June 20, 2016, pursuant to Section 366.06, Florida Statutes (F.S.), Florida Power & Light Company (FPL) filed its petition for approval of a purchase and sale agreement between FPL and Calypso Energy Holdings, LLC, for the ownership of the Indiantown Cogeneration LP and related power purchase agreement. The Order Establishing Procedure (OEP), Order No. PSC-16-0276-PCO-EI, was issued on July 19, 2016. On July 22, 2016, the Office of Public Counsel (OPC) filed a notice of intervention. On July 25, 2016, OPC's intervention was acknowledged by Order No. PSC-16-0291-PCO-EI. On the same day, OPC filed its motion for an extension of time for certain dates scheduled in this docket by the OEP. In its motion, OPC requested a three week extension of time to file intervenor testimony and exhibits, due to certain time constraints and competing requirements that would make it difficult to secure expert witness testimony and exhibits by the August 8, 2016 deadline. On July 26, 2016, FPL filed a response to OPC's motion, agreeing to only a one week extension of time, contingent upon the requirements that the date for rebuttal is also extended and that the prehearing and hearing dates do not change. On June 30, 2016, Florida Industrial Power Users Group (FIPUG) petitioned for intervention, which was granted on July 27, 2016, by Order No. PSC-16-0295-PCO-EI. Staff contacted counsel for FIPUG, who indicated that he would not file a written response, but would appreciate as much time as possible to submit intervenor's testimony and exhibits.

Upon consideration, I find that a two week extension of time to be reasonable, and will not unduly prejudice any party or the administration of this case. Therefore, the motion for extension of time is granted, and the dates established by Order No. PSC-16-0276-PCO-EI shall be revised as follows:

	<u>Current Due Date</u>	<u>Extended Due Date</u>
Intervenor testimony and exhibits, regarding audit testimony	August 8, 2016	August 22, 2016
Rebuttal testimony and exhibits, regarding audit testimony	August 18, 2016	September, 1, 2016

Therefore, it is

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that the motion for extension of time is granted. It is further

ORDERED that Order No. PSC-16-0276-PCO-EI shall be revised as indicated above. It is further

ORDERED that all other provisions of Order No. PSC-16-0276-PCO-EI, remain in effect, and with the provisions of this Order, shall govern this proceeding unless modified by the Commission.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 1st day of August, 2016.



RONALD A. BRISÉ
Commissioner and Prehearing Officer
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

WLT

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.