

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition for Approval of Arrangement to Mitigate Unfavorable Impact of St. Johns River Power Park, by Florida Power and Light Company

Docket No: 170123-EI

Date: July 6, 2017

**FLORIDA POWER & LIGHT COMPANY'S RESPONSE TO CITIZENS' MOTION TO EXTEND THE FILING DATE FOR INTERVENOR TESTIMONY**

Florida Power & Light Company ("FPL"), pursuant to Rule 28-106.204(1), Florida Administrative Code, hereby files this its response to Citizens' Motion to Extend the Filing Date for Intervenor Testimony, said Motion having been filed on June 29, 2017, and in response thereto states as follows:

1. The Order Establishing Procedure ("OEP") issued June 12, 2017 provides a due date of July 14, 2017 for Intervenor testimony. (See Order No. PSC-17-0214-PCO-EI.) On June 29, 2017, the Office of Public Counsel ("OPC") filed its motion requesting a one week extension of time to file testimony which, if granted, will make intervenor testimony due July 21, 2017.

2. OPC has accurately stated in its Motion that FPL has no objection to the requested extension provided that a corresponding one week extension also apply to Staff testimony, FPL rebuttal testimony, and Prehearing Statements. Under this proposal, the following dates would apply:

Intervenor Testimony:	July 21, 2017 (currently due July 14, 2017)
Staff Testimony:	August 4, 2017 (currently due July 28, 2017)
FPL Rebuttal:	August 14, 2017 (currently due August 7, 2017)
Prehearing Statements:	August 18, 2017 (currently due August 11, 2017)

3. In OPC's Motion to Extend dated June 29, 2017, OPC advised that Staff had informally expressed to OPC "a preference for extending only the Citizens' testimony filing deadline and not the other dates; however, Citizens have not received a final position from Staff as of the time of this filing." (See paragraph 12 of Citizens' Motion to Extend the Filing Date for Intervenor Testimony.) Undersigned counsel for FPL has been advised by Staff today, July 6, 2017, that Staff takes no position on Citizens' Motion.

4. OPC's requested extension is based upon a desire to review and analyze FPL's responses to Staff's discovery served June 21, 2017. However, it should be noted that FPL has already responded to all outstanding OPC discovery (*i.e.*, on June 26, 2017, FPL responded to OPC's First Request for Production of Documents, dated June 7, 2017 and First Set of Interrogatories dated June 16, 2017.<sup>1</sup>

5. FPL agrees that a one week extension of the four deadlines outlined in paragraph 2 of this response will allow all parties to remain on track for the August 28, 2017 Prehearing Conference and the September 13, 2017 Hearing. However, in the absence of the corresponding one week extensions, and particularly the one week extension for FPL rebuttal testimony, FPL objects to OPC's Motion to Extend, as the granting of OPC's request without the corresponding

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<sup>1</sup> FPL answered OPC's First Set of Interrogatories within 10 days rather than the 20 days allowed by the OEP in an effort to provide OPC with the requested information as expeditiously as possible.

extension for FPL rebuttal will unfairly prejudice FPL in its ability to review and analyze intervenor testimony, if any, and prepare and file its rebuttal case.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

**Docket No. 170123-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic service on this 6th day of July 2017 to the following:

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