

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint against Gulf Power Company
for expedited enforcement of territorial order,
by Gulf Coast Electric Cooperative, Inc.

DOCKET NO. 20180125-EU
ORDER NO. PSC-2018-0431-PCO-EU
ISSUED: August 27, 2018

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On July 23, 2018, Order PSC-2018-0357-PCO-EU was issued setting a procedure for consideration of the Motion for Summary Final Order filed by Gulf Power Company (Gulf Power) seeking to resolve the complaint filed by Gulf Coast Electric Cooperative, Inc. (Gulf Coast) against Gulf Power. The Order provided specific dates for certain activities in this docket, including a deadline for limited discovery of August 31, 2018, and a due date for briefs by September 7, 2018.

On August 21, 2018, Gulf Power submitted a request to Gulf Coast to take the deposition of Gulf Coast Vice President of Engineering, C. Peyton Gleaton, Jr.¹ on August 29, 30, or 31, 2018. Gulf Coast notified Gulf Power that Mr. Gleaton would be unavailable for the entire week of August 27, 2018, and would not be available until September 4, 2018. Gulf Power represents that Gulf Coast acknowledged that this date was beyond the limited discovery deadline of August 31, 2018, however, Gulf Coast would not object to taking the deposition of Mr. Gleaton's beyond said deadline.

Gulf Power asserts that a September 4, 2018 deposition could prove problematic because briefs on the Motion for Summary Final Order are due on September 7, 2018, and the transcript for the deposition could take one to two days. Gulf Power represents that it has reached out to Gulf Coast with this concern and that Gulf Coast stated that it would not oppose a motion to move the deadline for briefs on the Motion for Summary Final Order in this docket to September 11, 2018.

On August 22, 2018, Gulf Power filed a Motion for Limited Extension of Time to Conduct Discovery and Submit Briefs (Motion). Specifically, the Motion seeks an extension of time of the discovery deadline in this docket to September 4, 2018, and the deadline to submit briefs to September 11, 2018. Based on Gulf Power's representation that Gulf Coast does not object to these extensions of time, and thus no party appears to be prejudiced, Gulf Power's Motion is hereby granted. This change may necessitate the date the Commission considers the motion for Summary Final Order as provided in Order PSC-2018-0357-PCO-EU.

¹ Mr. Gleaton was the person to whom the October 20, 2017 e-mail was set that is alleged to be a significant part of this dispute.

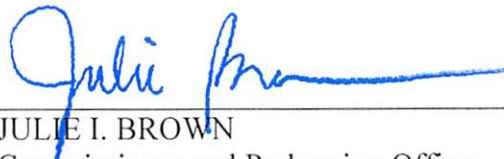
Based upon the foregoing, it is hereby

ORDERED by Commissioner Julie I. Brown, as Prehearing Officer, that Gulf Power Company's Motion for Limited Extension of Time to Conduct Discovery and Submit Briefs filed is granted. It is further

ORDERED that discovery deadline in this docket shall be extended to September 4, 2018, and Briefs shall be filed by September 11, 2018. It is further

ORDERED that all other provisions of Order No. PSC-2018-0357-PCO-EU not inconsistent with this order are hereby reaffirmed.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this 27th day of August, 2018.



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

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.