

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Duke Energy Florida, LLC
for limited proceeding for recovery of
incremental storm restoration costs related to
Hurricane Michael and Tropical Storm
Alberto.

Docket No. 20190110-EI

Filed: August 20, 2020

JOINT MOTION TO ABATE HEARING AND POST-HEARING PROCESS

Duke Energy Florida, LLC (“DEF”) and the Citizens of the State of Florida, through the Office of Public Counsel (“Citizens”) (collectively, the “Parties”), by and through their respective counsel, hereby move the Commission to temporarily abate the prehearing conference and upcoming public hearing and post-hearing process, scheduled to commence on August 31, 2020, and September 15, 2020, respectively. In support of their Joint Motion, the Parties state as follows:

1. On April 30, 2019, DEF filed its Petition for Limited Proceeding for Recovery of Incremental Storm Restoration Costs Related to Hurricane Michael and Approval of Second Implementation Stipulation.
2. The Office of Public Counsel filed its Notice of Intervention acknowledged by the Commission on June 24, 2019.¹
3. On July 1, 2019, the Commission approved DEF’s interim storm restoration recovery charge subject to refund, approved the second implementation stipulation, and held the docket open for future disposition.²
4. Discovery began on July 16, 2019, and the deadline to complete discovery is August 28, 2020.

¹ Order No. PSC-2019-0239-PCO-EI.

² Order No. PSC-2019-0268-PCO-EI.

5. Pursuant to the Commission's Second Order Modifying the Order Establishing Procedure, the prehearing in this matter is scheduled to be held on August 31, 2020, and the hearing is scheduled for September 15-16, 2020.

6. The Parties have conferred and believe that a temporary abatement of this matter to enable further communication may eliminate potential misunderstandings and allow for the narrowing of disputes relating to the known issues under dispute (such as, for example, capitalization of costs).

7. Furthermore, DEF expects to file its final petition and testimony relating to costs incurred for Hurricane Dorian and Tropical Storm Nestor (Docket No. 20190222-EI) on or near the date when the hearing is scheduled in this docket (September 15-16, 2020).

8. Additional communications among the Parties indicate it would be prudent for the Office of Public Counsel to review the filing in Docket No. 20190222-EI to determine if refinement of differences is possible. Such a review holds the potential – but not the certainty – that a refinement of differences related to contractor expenses and other issues could occur.

9. The Parties believe that overall efficiency and conservation of resources could occur if they are permitted additional time to review and evaluate the issues pending in this docket and in Docket No. 20190222-EI.

10. The Parties estimate that an abatement of between sixty and ninety days would be sufficient to allow for such a review and evaluation.

11. The Parties request that any abatement period approved by the Commission only apply to the prehearing conference, hearing, and briefing period. The parties request that all other deadlines, in particular the testimony and discovery deadlines, remain the same.

12. At the end of the abatement period approved by the Commission, the Parties will jointly inform the Commission of the outcome of their discussions and request that the Commission either (a) extend the abatement period to facilitate additional discussions by the Parties or (b) set prehearing conference and hearing dates and new briefing schedule.

WHEREFORE, the Parties respectfully request that this Commission enter an Order abating the prehearing conference, hearing and post hearing process in this matter for a period of between sixty and ninety days.

Respectfully submitted this 20th day of August, 2020.

/s/ Daniel Hernandez

DANIEL HERNANDEZ

Florida Bar No. 176834

MELANIE B. SENOSIAIN

Florida Bar No. 118904

Shutts & Bowen LLP

4301 W. Boy Scout Blvd., Suite 300

Tampa, Florida 33607

T: 813- 229-8900

F: 813-229-8901

E: dhernandez@shutts.com

E: msenosiain@shutts.com

/s/ Charles J. Rehwinkel

CHARLES J. REHWINKEL

Florida Bar No. 527599

J.R. KELLY

Office of Public Counsel

c/o The Florida Legislature

111 West Madison St., Room 812

Tallahassee, FL 32399-1400

kelly.jr@leg.state.fl.us

rehwinkel.charles@leg.state.fl.us

DIANNE M. TRIPLETT

Deputy General Counsel

Duke Energy Florida, LLC.

299 First Avenue North

St. Petersburg, FL 33701

T: 727.820.4692

F: 727.820.5041

E: Dianne.Triplett@duke-energy.com

MATTHEW R. BERNIER

Associate General Counsel

Duke Energy Florida, LLC

106 East College Avenue, Suite 800

Tallahassee, Florida 32301

T: 850.521.1428

F: 727.820.5041

E: Matt.Bernier@duke-energy.com

CERTIFICATE OF SERVICE (DOCKET. NO. 20190110-EI)

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 20th day of August, 2020, to all parties of record as indicated below.

/s/ Daniel Hernandez
Attorney

<p>Ashley Weisenfeld / Rachael Dziechciarz Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 aweisnf@psc.state.fl.us rdziehc@psc.state.fl.us</p>	<p>J.R. Kelly / Charles J. Rehwinkel Office of Public Counsel c/o The Florida Legislature 111 West Madison St., Room 812 Tallahassee, FL 32399-1400 kelly.jr@leg.state.fl.us rehwinkel.charles@leg.state.fl.us</p>
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