

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0233-PCO-EI
ISSUED: June 28, 2021

SECOND ORDER REVISING ORDER ESTABLISHING PROCEDURE

On June 22, 2021, Florida Power & Light Company (FPL) filed an unopposed motion requesting a two-day extension of the deadlines set forth in Order No. PSC-2021-0116-PCO-EI (OEP) for filing rebuttal testimony and completion of discovery. In support of its request, FPL stated that the OEP established the following filing dates:

Intervenor testimony and exhibits	June 21, 2021
Staff testimony and exhibits	July 6, 2021
Rebuttal testimony and exhibits	July 12, 2021
Discovery actions completed	August 6, 2021

On June 21, 2021, intervenors filed the testimony of 40 witnesses. The OEP gives FPL 21 days to review and prepare responses to these witnesses. While some of these witnesses have submitted testimony limited to the facts supporting their standing to intervene in this case, at least 20 witnesses have filed testimony regarding the substantive technical issues that have been raised. FPL has requested that it be allowed two additional days to file its rebuttal testimony, or until July 14, 2021. Additionally, FPL has requested a two day extension of the discovery completion date to allow all parties the same amount of time for discovery as is provided under the OEP, or until August 9, 2021.

There are more than 1,900 pages of intervenor testimony to be reviewed in this case. Further, there appears to be agreement of all parties to the extension of the rebuttal filing date as long as it is coupled with an equal extension for the completion of discovery deadline. Under these unique circumstances, it is reasonable and nonprejudicial to any party to grant FPL's request. Therefore, FPL's unopposed motion requesting a two-day extension of time is granted and the rebuttal testimony and exhibit filing date and discovery completion date shall be extended as follows:

Rebuttal testimony and exhibits	July 14, 2021
Discovery actions completed	August 9, 2021

Based on the foregoing, it is

ORDERED by Gary F. Clark, as Prehearing Officer, that Florida Power & Light Company's unopposed motion for an extension of time for filing rebuttal testimony is granted and Order No. PSC-2021-0116-PCO-EI, issued on March 24, 2021, shall be modified as stated above. It is further

ORDERED that Order No. PSC-2021-0116-PCO-EI, issued March 24, 2021; Order No. PSC-2021-0120-PCO-EI, issued April 1, 2021; and Order No. PSC-2021-0120A, issued April 8, 2021, are hereby reaffirmed to the extent not inconsistent with this Order.

By ORDER of Chairman Gary F. Clark, as Presiding Officer, this 28th day of June, 2021.



GARY F. CLARK
Chairman and Presiding 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.

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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.