

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for
determination of need for the
Osprey Energy Center by Calpine
Construction Finance Company,
L.P.

DOCKET NO. 000442-EI
ORDER NO. PSC-00-2133-PCO-EI
ISSUED: November 8, 2000

ORDER REVISING ORDER ON PROCEDURE

By Order No. PSC-00-1615-PCO-EI, issued September 11, 2000, the hearing dates for this docket were originally scheduled for November 29, 30, and December 1, 2000. However, pursuant to discussions by the Commission panel at the October 17, 2000, Agenda Conference, the prehearing conference and hearing have been rescheduled for December 20, 2000, and January 3-5, 2001, respectively. Therefore, the schedule established by Order No. PSC-00-1615-PCO-EI is hereby revised to reflect the following:

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|---|---------------------------|
| 1) Petitioner's supplemental testimony and exhibits, if any | November 13, 2000 |
| 2) Intervenors' direct testimony and exhibits, if any | December 11, 2000 |
| 3) Staff's direct testimony and exhibits, if any | December 13, 2000 |
| 4) Prehearing Statements | December 13, 2000 |
| 5) Prehearing Conference | December 21, 2000 |
| 6) Petitioner's rebuttal testimony and exhibits, if any | December 21, 2000 |
| 7) Hearing | January 3, 4, and 5, 2001 |
| 8) Briefs | February 2, 2001 |

The hearing in this matter is set for January 3-5, 2001. It is the intent of the Prehearing Officer that the parties not be unduly burdened by delay in discovery. Therefore, any objection to discovery shall be served within seven days of service of the request. All responses to discovery shall be served within

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fourteen days of service of the request. In addition, the parties and staff are encouraged to confer and reach agreement as soon as possible on the dates, times and locations for any depositions of witnesses, access to any computer models used to develop testimony, the provision of workpapers and other documents relied on in the preparation of testimony, and any other matters which would aid in the resolution of the issues in this docket. Further, all filings with the Commission shall include a copy of the document on diskette in word processing or spreadsheet format, whichever is appropriate, when filing documents capable of being generated by word processing or spreadsheet software. If necessary, additional orders to promote the just, speedy, and inexpensive determination of all aspects of this case, as provided for in Rule 28-106.211, Florida Administrative Code, will be issued.

Unless authorized by the Prehearing Officer for good cause shown, all discovery shall be completed by December 21, 2000. Except as modified herein, Order No. PSC-00-1615-PCO-EI, is hereby reaffirmed in all respects.

Based on the foregoing, it is

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that Order No. PSC-00-1615-PCO-EI is hereby revised as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-00-1615-PCO-EI is reaffirmed in all other respects.

By ORDER of Commissioner Lila A. Jaber, as Prehearing Officer, this 8th day of November, 2000.



LILA A. JABER

Commissioner and Prehearing Officer

(S E A L)

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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, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.