

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor.

DOCKET NO. 070001-EI
ORDER NO. PSC-07-0824-PCO-EI
ISSUED: October 15, 2007

ORDER GRANTING EXTENSION OF TIME TO FILE TESTIMONY

The Order Establishing Procedure (OEP) in this docket, Order No. PSC-07-0221-PCO-EI, was issued on March 12, 2007. The OEP required investor-owned utilities to file projection testimony by September 4, 2007. On September 4, 2007, Florida Public Utilities Company (FPUC) filed a Motion for Extension of Time to File Testimony. The motion requested permission to file projection testimony on September 5, 2007. In its motion, FPUC stated the reason for the requested extension was that, upon completion and review of its exhibits to the testimony, FPUC determined that there was additional data in the exhibits for which confidential treatment should be requested. According to FPUC, the documents were retrieved from the testimony prior to filing in order to add the additional information to the request for confidential treatment. This precluded a timely filing of the testimony. FPUC requested an extension to September 5, 2007 to complete its projection filing. FPUC states that this will not adversely affect any party. Prior to filing this motion, FPUC notified Commission Counsel and the Office of Public Counsel.

Based on the foregoing, it appears the requested extension is reasonable and will not prejudice the parties to this proceeding, nor delay the speedy resolution of the issues. Accordingly, FPUC's request for extension of time to file testimony is granted.

Based on the foregoing, it is

ORDERED by Commissioner Matthew M. Carter II, as Prehearing Officer, that Florida Public Utilities Company's request for a one day extension of time to file testimony is hereby granted.

By ORDER of Commissioner Matthew M. Carter II, as Prehearing Officer, this 15th day of October, 2007.


MATTHEW M. CARTER II
Commissioner and Prehearing Officer

(SEAL)

LCB

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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 Director, Division of the Commission Clerk and Administrative Services, 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.