

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor. | DOCKET NO. 090001-EI
| ORDER NO. PSC-09-0669-PCO-EI
| ISSUED: October 7, 2009

ORDER GRANTING FLORIDA RETAIL FEDERATION'S
MOTION FOR EXTENSION OF TIME

I. Case Background

As part of the Commission's continuing fuel and purchased power cost recovery and generating performance incentive factor proceedings, this docket was opened, and a hearing has been set for November 2-4, 2009. By Order No. PSC-09-0142-PCO-EI, issued March 6, 2009, a procedural schedule was established setting forth the controlling dates for this docket.

On October 6, 2009, Florida Retail Federation (FRF) filed a Motion for Extension of Time for submission of its Prehearing Statement in this docket. Currently, the Order Establishing Procedure requires the Prehearing Statements be filed by all parties and staff on or before October 6, 2009. FRF requests that it be permitted to file its Prehearing Statement on October 7, 2009.

II. Motion for Extension

In its Motion, FRF states that FRF has been involved in both the Florida Power & Light Company and Progress Energy Florida, Inc.'s rate cases, as well as other matters. FRF contends that because of the other commitments, it has not been able to devote sufficient attention to the prehearing statement in this docket. FRF asserts that it has communicated with and is authorized to represent that Tampa Electric Company, Progress Energy Florida, Inc., Gulf Power Company, Florida Industrial Power Users Group, the Office of Public Counsel, Federal Executive Agencies, Florida Public Utilities Company, and Commission staff have no objection to the requested extension. FRF also states that it attempted to communicate via electronic mail with all the other parties in the docket, but was unable to ascertain their positions regarding this motion prior to its filing.

III. Ruling and Revised Controlling Dates

Having reviewed this Motion, it appears that FRF has alleged sufficient grounds for an extension of time to file its Prehearing Statement, and FRF's Motion for Extension of Time is hereby granted. FRF's Prehearing Statement shall be filed no later than Wednesday, October 7, 2009. All other controlling dates established for this docket shall remain unchanged, unless further modified by the Prehearing Officer.

DOCUMENT NUMBER-DATE

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ORDER NO. PSC-09-0669-PCO-EI
DOCKET NO. 090001-EI
PAGE 2

Based on the foregoing, it is

ORDERED by Commissioner Nathan A. Skop, as Prehearing Officer, that the Florida Retail Federation's Motion for Extension of Time is hereby granted as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-09-0142-PCO-EI is reaffirmed in all other respects.

By ORDER of Commissioner Nathan A. Skop, as Prehearing Officer, this 7th day of October, 2009.



NATHAN A. SKOP
Commissioner and Prehearing Officer

(S E A L)

LCB

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.