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September 9, 2014

**VIA: ELECTRONIC FILING**

Ms. Carlotta S. Stauffer  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

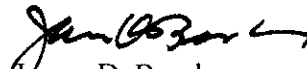
Re: Conservation Cost Recovery Clause  
FPSC Docket No. 140002-EG

Dear Ms. Stauffer:

Attached for filing in the above docket on behalf of Tampa Electric Company and Florida Power & Light Company is the original of a Joint Motion for Extension of Time for Filing Rebuttal Testimony.

Thank you for your assistance in connection with this matter.

Sincerely,

  
James D. Beasley

JDB/pp  
Attachment

cc: All Parties of Record (w/attachment)  
Lee Eng Tan (w/attachment)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost     )  
Recovery Clause.                     )  
\_\_\_\_\_ )

DOCKET NO. 140002-EG

FILED: September 9, 2014

**JOINT MOTION FOR  
EXTENSION OF TIME FOR FILING REBUTTAL TESTIMONY**

Tampa Electric Company ("Tampa Electric" or "the company") and Florida Power & Light Company ("FPL"), pursuant to Rule 28-106.204, Florida Administrative Code, (collectively referred to as "the utilities") jointly move the Commission for an extension of time through and including Wednesday, September 24, 2014, within which to file rebuttal testimony and, as grounds therefor, say:

**BACKGROUND**

1. On Friday, September 5, Florida Industrial Power Users Group ("FIPUG") and Walmart Stores East, LP and Sam's East, Inc. ("Walmart/Sam's") filed testimony proposing in a very general way that large customers be permitted to opt out of paying their allocated share of the cost of energy conservation programs. The opt out proposals in question would effect wholesale changes in the manner in which conservation programs have been administered and funded pursuant to the Florida Energy Efficiency and Conservation Act ("FEECA") for over 30 years. The significance of what FIPUG and Walmart/Sam's have proposed strongly suggests the need for a fully developed record so that the Commission can be fully informed. As it stands now, the utilities have only five working days to respond, via rebuttal testimonies due Friday,

September 12, to sweeping but vaguely described proposals that they saw for the first time on Friday, September 5.

2. In the normal course of events, a party proposing a significant departure from a long-standing process or methodology does so by way of a petition, thereby affording the Commission the opportunity to prescribe a reasonable schedule of events so that all parties are afforded a reasonable opportunity to engage in discovery and otherwise prepare for hearing. Given the significance of what FIPUG and Walmart/Sam's have proposed, the development of an adequate and complete record is essential for the Commission to have the information it needs to make an informed decision. Granting the utilities an extension of time to submit rebuttal testimony in advance of the upcoming cost recovery hearing scheduled to commence on October 22 will enable the Commission to better focus on the monumental changes these intervenors are proposing and to insure a fair and orderly consideration of the impacts of any such significant change.

3. As the Commission will recall, FIPUG and Walmart/Sam's attempted to raise the opt out proposals in the DSM goals dockets and were told that their issue should be raised in the context of cost recovery. Staff conducted an informal meeting of the parties in May and attempted to pin down the issues in June of this year. The utilities are not aware of FIPUG or Walmart/Sam's, the proponents of the opt out change, having ever responded to Staff as to how the issues should be framed. Had issues been agreed to with FIPUG and Walmart/Sam's, the utilities could have addressed them in their projection testimonies. However, that did not occur and the utilities had no definitive issues to address in their projection testimony that was filed on August 27, 2014.

4. For the foregoing reasons, the utilities respectfully request an extension of time for filing rebuttal testimony through and including Wednesday, September 24, 2014. The requested extension will not prejudice or disadvantage any party and will better enable the utilities to provide the Commission with input essential to a proper disposition of this matter.

**Conferral with the Parties Regarding this Motion**

5. The undersigned counsel has requested the parties of record in this proceeding to advise as to their position on this motion. Thus far, Walmart/Sam's, Gulf Power Company, Duke Energy Florida, and Florida Public Utilities Company have indicated they will not oppose the motion. The undersigned will report the remaining parties' position to the Commission by a supplement to this motion once they are made known.

WHEREFORE, Tampa Electric and FPL respectfully move the Commission to grant them an extension of time through and including Wednesday, September 24, within which to file their rebuttal testimony.

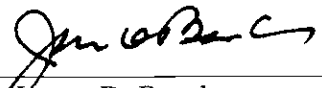
DATED this 9<sup>th</sup> day of September 2014.

Respectfully submitted,

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BY: s/ Kenneth M. Rubin

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BY:   
James D. Beasley

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Joint Motion has been furnished by hand delivery (\*) or electronic mail on this 9<sup>th</sup> day of September 2014 to the following:

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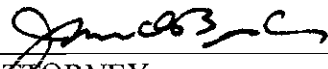
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