

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of a purchase and sale agreement between Florida Power & Light Company and Calypso Energy Holdings, LLC, for the ownership of the Indiantown Cogeneration LP and related Power purchase agreement.

DOCKET NO. 160154-EI

FILED: July 25, 2016

CITIZENS' MOTION TO AMEND ORDER NO. PSC 16-0276-PCO-EI TO EXTEND THE INTERVENOR TESTIMONY FILING DATE

The Citizens of the State of Florida (Citizens), by and through the Office of Public Counsel (OPC), pursuant to Rule 28-106.204, Florida Administrative Code (F.A.C.), hereby file Citizens' Motion for Extension of Testimony Filing Dates established by Order No. PSC 16-0276-PCO-EI or the Order Establishing Procedure (OEP), issued July 19, 2016, in the above docket. The Citizens request that this Motion be granted for good cause, and as grounds state the following:

1. By Order No. PSC-16-0276-PCO-EI, issued July 19, 2016, Order Establishing Procedure (OEP), the controlling dates that OPC seeks to modify were established as follows: Intervenors' testimony and exhibits due August 8, 2016; Staff's testimony and exhibits, if any, due August 8, 2016; and Rebuttal testimony and exhibits due August 18, 2016. The Prehearing Statement deadline, Prehearing Conference and Hearing are scheduled for September 9, 2016, September 20, 2016 and October 6-7, 2016, respectively, and will be unaffected by Citizens request.
2. The OPC filed its intervention in the case on July 22nd at the time we became aware of the issuance of the OEP and became aware of the testimony filing dates. OPC filed this Motion on the next business day.

3. Currently many of OPC's experts are tied up in the FPL rate case, docket number 160021-EI. The August 8 filing date merely gives OPC three weeks and one day, from the filing of the OEP, to obtain and place a witness under contract, have said witness review the file, and prepare the witnesses' testimony and exhibits. OPC does not believe three weeks and one day is reasonable or adequate time to thoroughly accomplish these tasks and receive adequate due process.
4. Therefore, OPC seeks to move Intervenors' testimony and exhibit filing dates back three weeks to August 29, 2016 in order to secure an expert witness to evaluate the transaction and develop prefiled testimony.
5. OPC conferred with counsel for FPL who takes no position on the motion at this time.

WHEREFORE, OPC requests that the Commission grant its Motion to Modify Testimony Filing Dates.

Respectfully Submitted

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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail on this 25th day of July, 2016, to the following:

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