BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for recovery of costs associated with named tropical systems during the 2015, 2016, and 2017 hurricane seasons and replenishment of storm reserve subject to final true-up, Tampa Electric Company.

DOCKET NO. 20170271-EI ORDER NO. PSC-2019-0120-PCO-EI ISSUED: April 3, 2019

ORDER GRANTING TAMPA ELECTRIC COMPANY'S MOTION TO SUSPEND TESTIMONY FILING SCHEDULE

On December 28, 2017, pursuant to Rules 28-106.201 and 25-6.0143, Florida Administrative Code (F.A.C.), and Order No. PSC-2017-0456-S-EI, Tampa Electric Company (TECO) filed its Petition for Recovery of Costs Associated with Named Tropical Systems and Replenishment of Storm Reserve. The Order Establishing Procedure, Order No. PSC-2018-0081-PCO-EI (Procedural Order), was issued on February 16, 2018, in which hearing procedures were established to govern this docket, including controlling dates and discovery response times. On March 7, 2018, Order No. PSC-2018-0126-PCO-EI was issued to modify the controlling dates in Section VIII of the Procedural Order. Order No. PSC-2018-0486-PCO-EI, issued on September 27, 2018, further modified these dates along with revising the discovery response times required in the docket. On January 16, 2019, Order No. PSC-2019-0042-PCO-EI was issued to further revise the controlling dates in this docket.

On March 29, 2019, TECO filed an Unopposed Motion to Suspend Testimony Filing Schedule (Motion) seeking to suspend the filing of further testimony, and other procedural deadlines as appropriate, in this docket. In its Motion, TECO asserts that it has reached a settlement in principal with OPC; however, TECO and OPC need additional time to memorialize their settlement into a Settlement Agreement to present to the Commission for approval. TECO states that such agreement will be submitted as soon as possible, but no later than April 8, 2019, and that the suspension of the filing of further testimony in this matter would allow TECO and OPC to devote their full attention to completing their settlement efforts in a focused and more cooperative climate. TECO also asserts that it has conferred with all of the parties to this proceeding and it is authorized to represent that OPC supports the Motion, while FIPUG and FRF do not oppose the Motion.

Upon review and consideration of the Motion, the remaining controlling dates in this docket are hereby abated, with the exception of the Prehearing Conference, Hearing, and Brief dates which remain unchanged as follows:

(7) Prehearing Conference

May 13, 2019

¹ Order No. PSC-2017-0456-S-EI, issued on November 27, 2017, in Docket No. 20170210-EI, <u>In re: Petition for limited proceeding to approve 2017 amended and restated stipulation and settlement agreement by Tampa Electric Company</u>.

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(8) Hearing

May 21-24, 2019²

(9) Briefs

June 19, 2019

Based on the foregoing, it is hereby

ORDERED by Commissioner Julie I. Brown, as Prehearing Officer, that Tampa Electric Company's Unopposed Motion to Suspend Testimony Filing Schedule is granted as set forth herein. It is further

ORDERED that all other provisions of Order No. PSC-2018-0081-PCO-EI and Order No. PSC-2019-0042-PCO-EI not inconsistent with this Order are hereby reaffirmed.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this <u>3rd</u> day of <u>April</u>, <u>2019</u>.

JULIE I. BROWN

Commissioner and Prehearing Officer Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399 (850) 413-6770 www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

KMS

² The hearing in this docket will immediately precede the hearing in Docket No. 20170272-EI, <u>In re: Application for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Irma and Nate, by Duke Energy Florida, LLC</u>, also scheduled for May 21-24, 2019.

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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; 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.