

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 100001-EI  
ORDER NO. PSC-10-0632-PCO-EI  
ISSUED: October 25, 2010

ORDER GRANTING PROGRESS ENERGY FLORIDA, INC'S  
MOTION TO ESTABLISH SEPARATE "SPIN-OFF" DOCKET

On October 8, 2010, Progress Energy Florida, Inc. (PEF) filed a motion to establish a separate "spin-off" docket. According to PEF, the purpose of the docket will be to enable the Commission and all interested parties to review facts and information related to the Crystal River Unit 3 (CR3) steam generator replacement project and the subsequent delamination that was discovered during CR3's Refueling Outage 16. PEF asserts that in this new docket the Commission will be able to evaluate the prudence and reasonableness of PEF's actions concerning the delamination. The new docket will also provide the Commission with the ability to review the prudence of PEF's resulting fuel and purchase power replacement costs associated with the extended CR3 outage. PEF states that it has polled the parties to this docket and that Florida Retail Federation and the Office of the Attorney General have not taken a position on this motion. PEF states that all other parties do not object to this motion. No party has filed a response to PEF's motion, and the time for doing so has expired.

Based on the foregoing, Progress Energy's Motion to Establish a Separate "Spin-Off" docket is reasonable and it is therefore granted. The Order Establishing Procedure setting the procedural milestones will be issued by the Prehearing Officer in the new docket.

Based on the foregoing, it is

ORDERED by Commissioner Nathan A. Skop, as Prehearing Officer, that Progress Energy Florida, Inc.'s Motion To Establish Separate "Spin-Off" Docket To Examine The Outage And Replacement Fuel/Power Costs Associated With The CR3 Steam Generator Replacement Project is granted.

DOCUMENT NUMBER [DATE]

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By ORDER of Commissioner Nathan A. Skop, as Prehearing Officer, this 25th day of October, 2010.



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.