

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Irma and Nate, by Duke Energy Florida, LLC.

DOCKET NO. 20170272-EI
ORDER NO. PSC-2019-0103-PCO-EI
ISSUED: March 15, 2019

THIRD ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

On December 28, 2017, pursuant to Section 366.076(1), Florida Statutes (F.S.), Rules 25-6.0143 and 25-6.0431, Florida Administrative Code (F.A.C.), and Order No. PSC-2017-0451-AS-EU, issued November 20, 2017, Duke Energy Florida, LLC (DEF) filed its Application for Limited Proceeding for Recovery of Incremental Storm Restoration Costs related to Hurricanes Irma and Nate.

The Order Establishing Procedure, Order No. PSC-2018-0082-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-2018-0127-PCO-EI was issued to modify the controlling dates in Section VIII of the Procedural Order. On August 18, 2018, DEF filed a Motion for Continuance in this docket to process, review, and organize a large amount of cost data and associated information pertaining to restoration costs. DEF requested that the hearing be held no earlier than May 2019. The Office of Public Counsel, the Florida Retail Federation, and White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate-White Springs did not oppose the Motion, and the Florida Industrial Power Users Group took no position. By Order No. PSC-2018-0410-PCO-EI, issued on August 20, 2018, DEF's Motion for Continuance was granted.

On September 27, 2018, Order No. PSC-2018-0487-PCO-EI (the Second Order Modifying Order Establishing Procedure), was issued in this docket to modify the controlling dates and discovery response times pursuant to the Order Granting DEF's Motion for Continuance. At this time, it is necessary to modify the Procedural Order to revise the Prehearing Conference date from May 6, 2019, to May 13, 2019. As such, Section VIII of the Procedural Order is hereby modified and the Prehearing Conference shall be held on May 13, 2019.

Based on the foregoing, it is hereby

ORDERED by Commissioner Julie I. Brown, as Prehearing Officer, that Order No. PSC-2018-0487-PCO-EI is modified as set forth in the body of this order. It is further

ORDERED that Order No. PSC-2018-0487-PCO-EI is reaffirmed in all other respects.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this 15th day of March, 2019.



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

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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.