

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for declaratory statement or other relief regarding the expiration of the Vero Beach electric service franchise agreement, by the Board of County Commissioners, Indian River County, Florida.

DOCKET NO. 140142-EM
ORDER NO. PSC-14-0425-PCO-EM
ISSUED: August 19, 2014

ORDER GRANTING UNOPPOSED MOTION FOR THE SETTING OF FILING DATES

On August 18, 2014, the Petitioner, the Board of County Commissioners, Indian River County, Florida (Board), filed an unopposed motion for an order setting the following filing due dates:

1. Due date for the Florida Municipal Electric Association, Inc., Florida Power & Light Company, and the Orlando Utilities Commission to file their substantive responses to the Petition: 5:00 p.m., Friday, August 22, 2014.
2. Due date for the Board to file its single reply to all substantive responses to the Petition filed by all intervenors and amici curiae, including the City of Vero Beach's Motion to Dismiss: 5:00 p.m., Friday, August 29, 2014.

There are three intervenors and four amici curiae in this docket. The Motion states that in view of the number and variety of the filings that have been or will be made, the Board believes that the requested filing schedule will provide all involved a fair opportunity to present their positions and arguments to the Commission in a timely fashion. The Motion further states that with this schedule, the Board will be able to respond to all of the filings, including the City of Vero Beach's Motion to Dismiss, in a single comprehensive filing. The Board states that the filing due date schedule will best promote the Commission's efficient processing of the Board's Petition for Declaratory Statement. The Motion states that counsel for intervenors and amici curiae each either agree with the filing schedule proposed or has no objection to it being granted.

Analysis and Ruling

I find the unopposed motion reasonable, and it is hereby granted. The Florida Municipal Electric Association, Inc., Florida Power & Light Company, and the Orlando Utilities Commission shall file their substantive responses to the Petition by 5:00 p.m., Friday, August 22, 2014. The Board shall file its reply to all substantive responses, including the City of Vero Beach's Motion to Dismiss, by 5:00 p.m., Friday, August 29, 2014.

Based on the foregoing, it is

ORDERED by Commissioner Eduardo E. Balbis, as Prehearing Officer, that the Board of County Commissioners, Indian River County, Florida's Unopposed Motion for the Setting of Filing Dates is hereby granted as set forth in this Order.

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 19th day of August, 2014.



EDUARDO E. BALBIS
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

ORDER NO. PSC-14-0425-PCO-EM

DOCKET NO. 140142-EM

PAGE 3

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.