BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for determin- ation of need for electrical power plant (Okeechobee County Cogeneration Facility) by Nassau Power Corporation.) DOCKET NO. 920769-EQ)))
In Re: Petition of Ark Energy, Inc. and CSW Development-I, Inc. for determination of need for electric power plant to be located in Okeechobee County, Florida.) DOCKET NO. 920761-EQ) ORDER NO. PSC-92-0998-PCO-EQ) ISSUED: 09/16/92)

ORDER GRANTING MOTION TO CONSOLIDATE

On September 10, 1992, Nassau Power Corporation (Nassau) filed a Motion to Consolidate the above dockets for hearing purposes. According to Nassau, consolidation of the two dockets will promote economy and efficiency.

The petitions filed by Nassau and Ark Energy, Inc. (Ark) both address the same need for additional generating capacity identified by Florida Power and Light Company (FPL) in Docket No. 920520-EQ.

Rule 1.270(a), Florida Rules of Civil Procedure, provides:

When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

We agree with Nassau that a single consolidated hearing in these dockets would be more expeditious, and economical than two separate hearings. Nassau has represented in its motion that Ark has no objection to the granting of the motion so long as its hearing dates remain November 4-5, 1992.

It is therefore

ORDERED that the Motion to Consolidate filed by Nassau Power Corporation on September 10, 1992 is granted and Docket Nos. 920769-EQ and 920761-EQ are hereby consolidated for hearing purposes only. It is further

DOCUMENT MUMBER-DATE

10669 SEP 16 1392

-DCC-DECORDS/REPUBL

ORDER NO. PSC-92-0998-PCO-EQ DOCKETS NOS. 920769-EQ and 920761-EQ PAGE 2

ORDERED that a single hearing will be conducted in Docket Nos. 920769-EQ and 920761-EQ, on November 4 and 5, 1992.

By ORDER of the Commissioner Betty Easley, as Prehearing Officer, this <u>16th</u> day of <u>September</u>, <u>1992</u>.

itaslus

BETTY EASLEY, Commissioner and Prehearing Officer

MAP:bmi

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, is issued by the Commission; or (3) 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 Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.