

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Adoption of Numeric)
Conservation Goals and)
Consideration of National Energy)
Policy Act Standards (Section)
111) by:)
)
)
)

FLORIDA POWER & LIGHT COMPANY) DOCKET NO. 930548-EG
FLORIDA POWER CORPORATION) DOCKET NO. 930549-EG
GULF POWER COMPANY) DOCKET NO. 930550-EG
TAMPA ELECTRIC COMPANY) DOCKET NO. 930551-EG
_____) ORDER NO. PSC-94-0453-PCO-EG
ISSUED: April 14, 1994

SIXTH PROCEDURAL ORDER

In response to a request by the Legal Environmental Assistance Foundation, Inc. (LEAF), the intervenors in this docket have been given until the close of business (4:30 p.m.) on April 29, 1994, to file direct testimony and rebuttal to the testimony of FPL in Docket No. 930548-EG. It has come to my attention that certain intervenors in these conservation goals dockets intend to file a single volume of testimony in response to the goals proposals of all four utilities. Certain intervenors also intend to present their expert's testimony just once during these hearings, rather than separately for each utility. I find that the single presentation of testimony by intervenors will expedite the hearing process, and should be encouraged.

I therefore grant an extension of time until the close of business on April 29, 1994, for the intervenors in all four dockets to file their direct testimony and rebuttal to the testimony of the electric utilities. I also grant an extension of time until the close of business on May 19, 1994 for the filing of rebuttal to intervenor testimony. In order to accommodate the new schedule for filing testimony the prehearing conference will be rescheduled to May 20, 1994, at 9:30 a.m.

The discovery cut off date for these dockets will remain May 25, 1994. In order to allow discovery on intervenor testimony within this time frame, parties shall serve written discovery requests on intervenors no later than May 10, 1994. Intervenors in turn shall respond to all interrogatories and requests to produce within two weeks (14 days) from their receipt. All discovery requests and responses shall be hand-delivered or faxed to the receiving party whenever possible. If hand delivery or faxing of discovery is not possible, service shall be by overnight delivery.

DOCUMENT NUMBER-DATE

03493 APR 14 1994

FPSC-RECORDS/REPORTING

If after a party files rebuttal testimony on May 19, 1994, that party obtains new material through discovery which it has not had an opportunity to address in testimony, that party may at its option:

- 1) prefile supplemental testimony focused only on the new material;
- 2) present oral testimony at the hearing focused only on the new material.

CONTROLLING DATES

The following dates have been established to govern the key activities in these dockets and shall supersede the controlling dates set forth in Order No. PSC-94-0287-PCO-EG, issued March 11, 1994.

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|-----|---|-------------------------------------|
| 1) | Commission workshop | 4/22/94 |
| 2) | Staff and Intervenor testimony | 4/29/94 |
| 3) | Prehearing statements | 5/4/94 |
| 4) | Rebuttal to Staff and Intervenor testimony | 5/19/94 |
| 5) | Last day to send out written discovery requests | 5/10/94 |
| 6) | Prehearing | 5/20/94 |
| 7) | Last day to conduct discovery | 5/25/94 |
| 8) | Hearing | 6/1, 2, 3,
6, 8, 9,
and 10/94 |
| 9) | Briefs due | 7/8/94 |
| 10) | Special agenda | 8/18/94 |
| 11) | DSM plan filed | 12/7/94 |

It is therefore

ORDERED by Chairman J. Terry Deason, as Prehearing Officer, that the testimony of intervenors shall be filed with the Director, Division of Records and Reporting, on or before the close of business on April 29, 1994. It is further

ORDERED that rebuttal to the testimony of intervenors shall be filed with the Director, Division of Records and Reporting on or before the close of business on May 19, 1994. It is further

ORDERED that the Prehearing Conference in these dockets shall be held on Friday, May 20, 1994, at 9:30 a.m. in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida. It is further

ORDERED that the pertinent dates set forth in the body of this Order shall be controlling and shall govern this proceeding unless modified by the Commission. It is further

ORDERED that all discovery shall be conducted as set forth herein.

By ORDER of Chairman J. Terry Deason, as Prehearing Officer, this 14th day of April, 1994.


J. TERRY DEASON, Chairman and
Prehearing Officer

(S E A L)
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.

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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, if 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.