

M E M O R A N D U M

March 19, 2002

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COMMISSION
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TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (STERN) MKS

RE: DOCKET NO. 010949-EI - REQUEST FOR RATE INCREASE BY GULF POWER COMPANY.

PSC-02-0364-PCO

Attached is an ORDER GRANTING IN PART MOTION FOR EXTENSION OF TIME TO FILE EXHIBITS, to be issued in the above-referenced docket.
(Number of pages in order - 3)

DATE ORDER SENT ELECTRONICALLY TO CCA 3/19/02.

MKS/anc
Attachment
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DOCUMENT NUMBER-DATE
03167 MAR 19 02
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for rate increase
by Gulf Power Company.

DOCKET NO. 010949-EI
ORDER NO. PSC-02-0364-PCO-EI
ISSUED: March 19, 2002

ORDER GRANTING IN PART MOTION FOR EXTENSION OF TIME TO FILE
EXHIBITS

On February 25 and 26, 2002, a hearing was held in this docket. At the hearing, it was determined that Gulf would provide two late-filed exhibits - an incentive earnings sharing plan (Exhibit 25) and revisions to the calculation of rate case expense (Exhibit 55). The exhibits were due on March 12, 2002.

Gulf filed a Motion for Extension of Time to File Exhibits 25 and 55, wherein Gulf explains that more time is needed due to unanticipated events, including the need to participate in two workshops on March 12, 2002. Gulf asks for a three-day extension of time to file, making the exhibits due on March 15, 2002. Gulf states that it will attempt to file the exhibits sooner than that.

Gulf proposes that the parties be granted additional time to file their responses to Exhibits 25 and 55. The number of additional days granted to the parties should be equal to the number of days that Gulf's filing is late.

Gulf represents that it was able to contact all the parties except the Federal Executive Agencies, and none of the parties contacted object to Gulf's Motion. The Commission staff was able to contact the Federal Executive Agencies after the Motion was filed and that party has no objection to the extension.

Upon consideration of Gulf's Motion I find that neither the parties nor staff will be harmed by the extension of time to file the exhibits. The Motion is therefore granted with respect to Gulf's filing the exhibits late. No deadline for responses to the Exhibits was set at the hearing. The late-filed exhibits were filed here on March 14, 2002. Responses to the exhibits from the parties shall be filed no later than March 28, 2002.

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Based on the foregoing, it is

ORDERED by Chairman Lila A. Jaber, as Prehearing Officer that Gulf Power Company's Motion for Extension of Time to File Exhibits is granted to the extent that Gulf may have until March 15, 2002, to file Exhibits 25 and 55. It is further

ORDERED that if any party wants to respond to Exhibit 25 or 55, the party shall do so by March 28, 2002.

By ORDER of Chairman Lila A. Jaber, as Prehearing Officer, this 19th Day of March, 2002.

A handwritten signature in black ink, appearing to read 'Lila A. Jaber', is written over a horizontal line. The signature is fluid and cursive.

LILA A. JABER
Chairman and Prehearing Officer

(S E A L)

MKS

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.

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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, 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 the Commission Clerk and Administrative Services, 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.