

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor.

DOCKET NO. 060001-EI
ORDER NO. PSC-06-0746-PCO-EI
ISSUED: September 1, 2006

ORDER GRANTING MOTION FOR EXTENSION OF TIME

The Office of Public Counsel ("OPC") filed a Petition for Order Requiring Progress Energy Florida, Inc. to Refund to Customers \$143 million, Representing Past Excessively High Fuel Costs Stemming From Failure to Utilize the Most Economical Sources of Coals For Crystal River Units 4 and 5 ("Petition"). On August 30, 2006 Progress Energy Florida, Inc. ("PEF") filed a Motion to Dismiss OPC's Petition.

On August 31, 2006, OPC filed a Motion for Extension of Time to Respond to PEF's Motion to Dismiss. OPC states that because the Motion to Dismiss is lengthy, 21 pages, and because of Office of Public Counsel's other work load and because the Labor Day weekend holiday shortens the time available to prepare a response, OPC needs an extension of the deadline for filing its response. OPC requests that it be allowed to file its response no later than September 13, 2006. OPC asserts that it has discussed its motion for extension of time with counsel for PEF and is authorized to represent that PEF does not object to the granting of OPC's Motion for Extension of Time to Respond to the Motion to Dismiss.

Motions for extension of time which are filed prior to the expiration of the deadline sought to be extended may be granted upon a showing of good cause for the request, pursuant to Rule 28-106.204(5), Florida Rules of Administrative Procedure. Upon consideration and noting no objection from PEF, OPC has shown good cause to extend the filing deadline for its Response to PEF's Motion to Dismiss. A week extension to September 13, 2006, will not prejudice any party to this case nor will it delay the proceedings in the above docket. OPC is granted a one week extension, until September 13, 2006, to file its Response to Progress' Motion to Dismiss.

Based on the foregoing, it is

ORDERED by Commissioner Matthew M. Carter, II, as Prehearing Officer, that the Office of Public Counsel may file its Response to Progress' Motion to Dismiss on or before September 13, 2006.

DOCUMENT NUMBER - DATE

08034 SEP-1 8

FPSC-COMMISSION CLERK

By ORDER of Commissioner Matthew M. Carter II, as Prehearing Officer, this 1st
day of September, 2006.



MATTHEW M. CARTER II
Commissioner and Prehearing Officer

(S E A L)

LCB

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 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.