

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 080001-EI
ORDER NO. PSC-08-0639-PCO-EI
ISSUED: October 2, 2008

ORDER GRANTING TAMPA ELECTRIC COMPANY'S
UNOPPOSED MOTION FOR EXTENSION OF TIME
FOR SUBMISSION OF REBUTTAL TESTIMONY AND EXHIBITS

I. Case Background

As part of the Commission's continuing fuel and purchased power cost recovery and generating performance incentive factor proceedings, this docket was opened, and a hearing has been set for November 4-6, 2008. By Order No. PSC-08-0148-PCO-EI (Order Establishing Procedure), issued March 11, 2008, a procedural schedule was established setting forth the controlling dates for this docket. On August 1, 2008, pursuant to Order No. PSC-08-0488-PCO-EI, the filing date for Staff's testimony was rescheduled from September 29, 2008, to October 6, 2008.

On September 12, 2008, Tampa Electric Company (TECO) filed its Motion for Extension of Time (Motion) for submission of its rebuttal testimony. Currently, the Order Establishing Procedure requires that rebuttal testimony in this docket be filed on or before October 13, 2008. TECO requests an extension of time to file its rebuttal testimony on October 17, 2008. The Order Establishing Procedure also requires that all discovery conducted in this docket be completed by October 20, 2008.

II. Unopposed Motion

In its Motion, TECO argues that to have adequate time to prepare rebuttal testimony in response to any Staff testimony and exhibits that may be filed on October 6, 2008, it is in need of a four-day extension of time from the current due date for rebuttal testimony of Monday, October 13, 2008, to Friday, October 17, 2008. TECO asserts that its requested extension is of shorter duration than the extension granted by Order No. PSC-08-0488-PCO-EI for Staff's testimony. TECO contends that it has received no objection to this requested extension from any party in this docket, and that if approved, the extension will not prejudice the rights of any party. Further, counsel for TECO has confirmed that TECO will work with Staff in responding to any discovery related to TECO's rebuttal testimony.

III. Ruling

Having reviewed this Motion, it appears that TECO has alleged sufficient grounds to modify the controlling date for filing its rebuttal testimony. Accordingly, TECO's Motion for

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Extension of Time is granted. In addition, in order to allow Staff and the parties to conduct discovery related to TECO's rebuttal testimony, the cut-off date for completion of discovery pertaining to TECO's rebuttal testimony shall be extended to Monday, October 27, 2008.


Based on the foregoing, it is

ORDERED by Commissioner Katrina J. McMurrin, as Prehearing Officer, that Tampa Electric Company's Motion for Extension of Time for submission of its rebuttal testimony and exhibits is hereby granted as set forth in the body of this Order. It is further

ORDERED that the cut-off date for the completion of discovery pertaining to Tampa Electric Company's rebuttal testimony shall be extended to Monday, October 27, 2008. It is further

ORDERED that Order No. PSC-08-0148-PCO-EI and Order No. PSC-08-0488-PCO-EI are reaffirmed in all other respects.

By ORDER of Commissioner Katrina J. McMurrin, as Prehearing Officer, this 2nd day of October, 2008.



KATRINA J. McMURRIAN
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 Office of Commission Clerk, 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.