

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of solar energy
power purchase agreement between Tampa
Electric Company and Energy 5.0, LLC.

DOCKET NO. 090109-EI
ORDER NO. PSC-10-0272-PCO-EI
ISSUED: April 30, 2010

SECOND ORDER REVISING ORDER ESTABLISHING PROCEDURE

By Order No. PSC-10-0133-PCO-EI, issued March 5, 2010, a procedural schedule was established setting forth the controlling dates for this docket. By Order No. PSC-10-0225-PCO-EI, the parties were given additional time to file testimony and exhibits. Subsequent to the issuance of that order, Tampa Electric Company (TECO) filed an unopposed motion requesting an additional extension of time in which to file its testimony and exhibits to May 5, 2010, and that the dates for the filing of direct testimony and exhibits for all parties and staff be revised as shown herein.

Therefore, given that none of the parties have objected to TECO's motion and the change in filing dates will allow adequate time for Commission staff and the parties to review testimony and exhibits being filed in this proceeding, the following controlling dates are revised and shall govern the activities for this docket:

Controlling Dates

- | | |
|--|--------------|
| (1) Utility's testimony and exhibits | May 5, 2010 |
| (2) Intervenors' testimony and exhibits | May 19, 2010 |
| (3) Staff's testimony and exhibits, if any | May 24, 2010 |

All other procedures and dates established in Order No. PSC-10-0133-PCO-EI shall remain the same.

This Order is issued pursuant to the authority granted by Rule 28-106.211, Florida Administrative Code (F.A.C.), which provides that the presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case.

Based upon the foregoing, it is

ORDERED by Commissioner David E. Klement, as Prehearing Officer, that the provisions of PSC-10-0133-PCO-EI, issued March 5, 2010, are amended as set forth in the body of this order. It is further

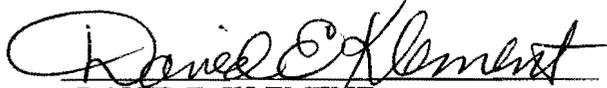
ORDERED that Order No. PSC-10-0133-PCO-EI is reaffirmed in all other respects.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner David E. Klement, as Prehearing Officer, this 30th day of April, 2010.


DAVID E. KLEMENT
Commissioner and Prehearing Officer

(SEAL)

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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 25-22.0376, 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.