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**Sent:** Friday, December 02, 2011 11:17 AM  
**To:** Filings@psc.state.fl.us  
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**Subject:** JOINT UNOPPOSED MOTION TO AMEND CONTROLLING DATES  
**Attachments:** Joint Unopposed Motion to Amend Controlling Dates.pdf

Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 100437-EI

In re: Examination of the outage and replacement fuel/power costs associated with the CR3 steam generator replacement project, by Progress Energy Florida, Inc.

c. Documents being filed on behalf of the Office of Public Counsel

d. There are a total of 5 pages.

e. The document attached for electronic filing *JOINT UNOPPOSED MOTION TO AMEND THE CONTROLLING DATES WHICH GOVERN KEY ACTIVITIES FOR PHASE ONE OF THIS DOCKET*. Thank you for your attention and cooperation to this request.

Monica R. Woods  
Administrative Assistant to Charles J. Rehwinkel  
Office of Public Counsel  
Phone #: 488-9330

DOCUMENT NUMBER - DATE

08738 DEC-2 =

FPSC-COMMISSION CLERK

12/2/2011

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Examination of the outage and replacement fuel/power costs associated with the CR3 steam generator replacement project, by Progress Energy Florida, Inc.

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DOCKET NO. 100437-EI

FILED: December 02, 2011

**JOINT UNOPPOSED MOTION TO AMEND THE CONTROLLING DATES WHICH GOVERN KEY ACTIVITIES FOR PHASE ONE OF THIS DOCKET**

The Citizens of the State of Florida, by and through the Office of Public Counsel ("OPC"), the Florida Industrial Power Users Group ("FIPUG"), the Florida Retail Federation ("FRF"), the Southern Alliance for Clean Energy ("SACE"), and White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate -White Springs ("White Springs"), hereinafter, Intervenors, pursuant to Rule 28-106.204, Florida Administrative Code ("F.A.C."), and Order No. PSC-11-0352-PCO-EI respectfully move the Prehearing Officer, Commissioner Eduardo E. Balbis, to grant this Joint Unopposed Motion to Amend the controlling dates which govern key activities for Phase 1 in the above docket, and in support states:

1. In the fall of 2009, during Refueling Outage 16, Progress Energy Florida, Inc. ("Progress" or "Company") replaced the Crystal River Unit 3 ("CR3") nuclear power plant's existing steam generator. On October 2, 2009, Progress discovered a delamination (cracking of the layers of concrete) of a portion of CR3's containment building. Progress did not return CR3 to service in the time frame originally planned for the refueling outage. The Company extended the outage in order to investigate and repair the containment building delamination.

2. On November 10, 2010, the Commission established this docket, at the request of the Company, in order to examine the outage, replacement fuel/power costs associated with the

extended outage, and the prudence of the Company's decisions regarding the CR3 steam generator replacement project.

3. On March 14, 2011, while the Company was attempting to complete retensioning activities associated with the repair of the October 2009 delamination, Progress experienced another delamination of the CR3 containment structure.

4. By Order No. PSC-11-0352-PCO-EI, issued August 23, 2011, the Commission divided this docket into three Phases and established dates governing the key activities and dates for Phase 1 as well as Phases 2 and 3 in this docket. Phase 1 addresses the prudence review of the events and decisions of PEF leading up to the October 2009 CR3 containment delamination event. On October 10, 2011, Progress filed direct testimony with respect to Phase I issues.

5. The Intervenors have actively participated in this docket since its inception, have conducted substantial discovery, and deposed numerous persons associated with the CR3 steam generator replacement project. Based on the review to date, it is apparent that additional time is required for the preparation of responsive testimony and exhibits by Intervenor parties, which currently are due to be filed on February 10, 2012, and that the hearings to be held in Phase 1 will require additional time as well. Consequently, Intervenors request the relief described below.

6. Pursuant to Rule 28-106.211, F.A.C., "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."

7. For the reasons stated above, in order to sufficiently address all the factual and legal issues presented by this case, the Intervenors respectfully request an extension of no more than 60 days for all key activities and controlling dates governing Phase 1 of this docket as set

forth by Order No. PSC-11-0352-PCO-EI, and further request an enlargement of the number of hearing days from five (5) days to at least 10 days.

8. By granting this request, no party would be prejudiced by this request, and further it would result in more efficient and thorough review of the factual and legal issues for the Commission and all parties.

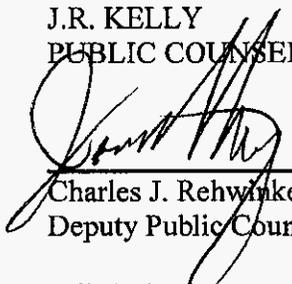
9. Pursuant to Rule 28-106.204(3), F.A.C., the Intervenors have conferred with all parties of record and are authorized to represent the following: Progress Energy Florida has no objection to the motion.

WHEREFORE, the Intervenors respectfully request that this Joint Unopposed Motion to Amend the controlling dates which govern key activities for Phase 1 of this docket be granted.

Dated this 2<sup>nd</sup> day of December, 2011.

Respectfully submitted,

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PUBLIC COUNSEL

  
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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and foregoing **JOINT UNOPPOSED MOTION TO AMEND THE CONTROLLING DATES WHICH GOVERN KEY ACTIVITIES FOR PHASE ONE OF THIS DOCKET** has been furnished by electronic mail and/or U.S. Mail on this 2nd day of December, 2011, to the following:

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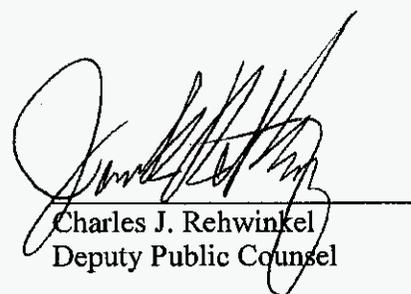
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