

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of formal proceedings on
Complaint No. 1109752E of Brenda Rodriguez
against Duke Energy Florida, Inc. for alleged
improper billing.

DOCKET NO. 140024-EI
ORDER NO. PSC-15-0083-PCO-EI
ISSUED: January 30, 2015

REVISED ORDER ESTABLISHING PROCEDURE

On December 5, 2014, Order No. PSC-14-0674-PCO-EI was issued establishing the procedures to be followed with regard to the discovery, prehearing and final administrative hearing to be conducted in this docket. On or about January 14, 2015, this case was assigned to the undersigned as both the Prehearing and Hearing Officer. As a result of this reassignment and the new procedural posture of the case under Chapter 120, Florida Statutes (F.S.), the following modifications are necessary to the procedures set forth in Order No. PSC-14-0674-PCO-EI.

Section VII, Post-Hearing Procedures, shall be completely stricken and replaced with the following:

After each party has rested its case, each party shall be given an opportunity to present closing arguments. An oral ruling may be made from the bench at the conclusion of closing arguments which shall be reduced to a Recommended Order and provided to all parties. Parties will have an opportunity to file written exceptions to the Recommended Order which shall be limited to 20 pages. The Recommended Order and exceptions will be provided to the full Commission for its consideration and vote to accept, modify or reject the Recommended Order as allowed by Chapter 120, F.S.

Section VIII, Controlling Dates, shall be modified as follows:

- | | | |
|-----|-----------------------|-------------------|
| (2) | Prehearing Conference | February 4, 2015 |
| (3) | Discovery deadline | February 4, 2015 |
| (4) | Hearing | February 11, 2015 |
| (5) | Recommended Order | February 25, 2015 |
| (6) | Exceptions | March 12, 2015 |

In all other respects, Order No. PSC-14-0674-PCO-EI, issued on December 5, 2015, is hereby affirmed.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing and Hearing Officer, this
30th day of January, 2015.



RONALD A. BRISE
Commissioner and Prehearing Officer
Florida Public Service Commission
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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.