

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for establishment of regulatory assets for expenses not recovered during restoration for Hurricane Michael, by Florida Public Utilities Company.

DOCKET NO. 20190155-EI

In re: Petition for a limited proceeding to recover incremental storm restoration costs, capital costs, revenue reduction for permanently lost customers, and regulatory assets related to Hurricane Michael, by Florida Public Utilities Company.

DOCKET NO. 20190156-EI

In re: Petition for approval of 2019 depreciation study by Florida Public Utilities Company.

DOCKET NO. 20190174-EI  
ORDER NO. PSC-2020-0174-PCO-EI  
ISSUED: June 2, 2020

ORDER GRANTING OPC'S MOTION FOR EXTENSION OF TIME  
AND FIRST ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

Order No. PSC-2020-0121-PCO-EI, ("Procedural Order") issued on April 21, 2020, established hearing procedures to govern Docket Nos. 20190155-EI and 20190156-EI (Hurricane Michael), as well as Docket No. 20190174 (Depreciation Study). On May 12, 2020, the Office of Public Counsel (OPC) filed a Motion requesting extension of the due date established for intervener testimony and exhibits (Motion) in the Hurricane Michael docket. In its Motion, OPC states that its accounting expert is engaged in several other Florida Public Service Commission dockets with key activity and hearing dates that are on schedules similar to the Hurricane Michael docket. OPC also explains that the current back-to-back scheduling of intervener testimony is burdensome. OPC therefore maintains that extension of the due date for intervener testimony in the Hurricane Michael docket from June 12, 2020, to June 26, 2020, will ensure fairness and due process by allowing OPC to manage its limited time and resources and that of its expert witness. OPC's Motion is unopposed.

Pursuant to Rule 28-106.211, F.A.C., the Prehearing Officer before whom a case is pending may issue any order necessary to effectuate discovery, to prevent delay, and to promote the just, speedy, and inexpensive determination of all aspects of the case. Additionally, Rule 28-106.204(4), F.A.C., provides that motions for extension of time shall state good cause for the request. Based on the facts alleged in OPC's Motion, it appears that allowing more time for intervener testimony will promote the just determination of this case. Accordingly, OPC's Motion is hereby granted.

At this time, it is necessary to modify the Procedural Order to establish a new intervenor testimony and exhibit date in the Hurricane Michael docket, as well as new fall-out dates for staff's testimony and exhibits, and rebuttal testimony and exhibits. As such, Section IX of the Procedural Order will be modified as follows:

- |     |  |               |
|-----|--|---------------|
| (5) | Intervenors' testimony and exhibits (Hurricane Michael)    | June 26, 2020 |
| (6) | Staff's testimony and exhibits, if any (Hurricane Michael) | July 10, 2020 |
| (8) | Rebuttal testimony and exhibits (Hurricane Michael)        | July 27, 2020 |

All other requirements established by the Procedural Order are hereby reaffirmed in all other aspects.

Based on the foregoing, it is

ORDERED by Commissioner Andrew Giles Fay, as Prehearing Officer, that the Office of Public Counsel's Motion for extension of time is hereby granted. It is further

ORDERED that the Procedural Order is modified as set forth in the body of this Order. It is further

ORDERED that all other requirements established by the Procedural Order in Docket Nos. 20190155-EI, 20190156-EI, and 20190174-EI that are not inconsistent with this Order shall remain in full force and effect.

By ORDER of Commissioner Andrew Giles Fay, as Prehearing Officer, this 2nd day of June, 2020.



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ANDREW GILES FAY  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
[www.floridapsc.com](http://www.floridapsc.com)

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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.