

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-2020-0290-PCO-EI
ISSUED: August 28, 2020

SECOND ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

Order No. PSC-2020-0121-PCO-EI (“Procedural Order”) issued on April 21, 2020, established hearing procedures to govern this Docket, including controlling dates. The Procedural Order was subsequently modified on June 2, 2020, by Order No. PSC-2020-0174-PCO-EI. On August 27, 2020, we received correspondence from the Office of Public Counsel (the sole intervenor in the above-referenced dockets), that they are negotiating a settlement agreement with Florida Public Utilities Company (*See* Document Number 05183-2020). As such, the parties request cancellation of the prehearing conference, currently set for August 28, 2020. Accordingly, at this time, it is appropriate to modify the Procedural Order to cancel the prehearing conference.

Therefore, Section IX of the Procedural Order shall be modified to cancel the prehearing conference, and the remaining controlling dates shall continue to govern the key activities of this case:

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|------|-----------------------|---|
| (11) | Prehearing Conference | August 28, 2020 CANCELLED ¹ |
| (12) | Hearing | September 8-10, 2020 |
| (13) | Briefs | October 16, 2020 |

¹ In the event that the parties do not reach a settlement agreement as anticipated, the prehearing conference may be rescheduled, if necessary.

In addition, the parties request cancellation of the date for submitting cross-examination documents to the Commission Clerk, on September 1, 2020. While there has been no Order establishing a date for submittal of cross-examination documents, to the extent that the parties have understood that date to be September 1, 2020, such date is cancelled at this time.

Based on the foregoing, it is

ORDERED by Commissioner Andrew Giles Fay, as Prehearing Officer, that Order Nos. PSC-2020-0121-PCO-EI and PSC-2020-0174-PCO-EI are modified as set forth in the body of this order. It is further

ORDERED that Order No. PSC-2020-0121-PCO-EI and Order No. PSC-2020-0174-PCO-EI are reaffirmed in all other respects.

By ORDER of Commissioner Andrew Giles Fay, as Prehearing Officer, this 28th day of August, 2020.



ANDREW GILES FAY
Commissioner and Prehearing Officer
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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.