

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-2020-0297-PCO-EI
ISSUED: September 3, 2020

THIRD 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) regarding a settlement agreement with Florida Public Utilities Company (*See* Document Number 05183-2020). Accordingly, the parties requested cancellation of the prehearing conference, and their request was granted by Order No. PSC-2020-0290-PCO-EI, issued on August 28, 2020.

On August 31, 2020, Florida Public Utilities Company (FPUC) and the Office of Public Counsel (OPC) filed a Joint Motion of FPUC and OPC for Approval of Stipulation and Settlement (Joint Motion), and attached the Stipulation and Settlement Agreement. In the Joint Motion, the parties request that the Commission consider the Settlement Agreement on the date that was previously set for the consolidated hearing, September 8-10, 2020; however, more time is needed to review and assess the Settlement Agreement.

As such, it is necessary to modify the Procedural Orders to establish new controlling dates for the hearing, and Section IX of the Procedural Order shall be modified as follows:

(12)	Hearing	September 8-10, 2020	September 21, 2020
(13)	Briefs	October 16, 2020	October 30, 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 Order Nos. PSC-2020-0121-PCO-EI, PSC-2020-0174-PCO-EI, and PSC-2020-0290-PCO-EI are modified as set forth in the body of this order. It is further

ORDERED that Order Nos. PSC-2020-0121-PCO-EI, PSC-2020-0174-PCO-EI, and PSC-2020-0290-PCO-EI are reaffirmed in all other respects.

By ORDER of Commissioner Andrew Giles Fay, as Prehearing Officer, this 3rd day of September, 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.