

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for a limited proceeding to approve clean energy connection program and tariff and stipulation, by Duke Energy Florida, LLC.

DOCKET NO. 20200176-EI
ORDER NO. PSC-2020-0367-PCO-EI
ISSUED: October 15, 2020

ORDER DENYING MOTION TO EXTEND FILING DEADLINES
AND CONTINUE THE HEARING

On July 1, 2020, Duke Energy Florida, LLC (Duke) filed a Petition for a Limited Proceeding to Approve The Clean Energy Connection Program and Tariff and Stipulation. The Clean Energy Connection Program is proposed by Duke as a voluntary community solar program that would allow participating customers to pay a subscription fee in exchange for receiving bill credits related to solar generation produced by solar facilities. This proceeding has been scheduled for an administrative hearing on November 17, 2020.

On September 23, 2020, the League of United Latin American Citizens of Florida (LULAC) filed a Motion to Extend Filing Deadlines and Continue the Hearing.¹ LULAC requests in its Motion a 28-day extension of time on all deadlines and a corresponding continuance of the final hearing. LULAC requests this continuance in order to have additional time for discovery, prepare and file intervenor testimony, and hearing preparation. On September 28, 2020, Duke filed a Response in Opposition to the Motion. In this Response, Duke disagrees that LULAC has demonstrated good cause for extending the deadlines and continuing the final hearing. Regarding the need for extra preparation time, Duke represents that its “responses [to LULAC discovery] will be provided well in advance of the discovery deadline set forth in the OEP.”

Since the filing of the Motion and Response, LULAC has timely filed the prefiled direct testimony of witness Karl R. Rabago, along with exhibits. All parties have propounded written discovery. LULAC has noticed the three Duke witnesses for deposition. Because the parties are working cooperatively within existing deadlines, the relief sought by the Motion no longer appears to be necessary. There being no good cause at this time, the Motion will be denied. This denial is without prejudice to any party seeking appropriate relief should circumstances change.

Based on the foregoing, it is

ORDERED by Commissioner Donald J. Polmann, as Prehearing Officer, that the League of United Latin American Citizens’ Motion to Extend Filing Deadlines and Continue Hearing is denied without prejudice.

¹ LULAC was granted intervention by Order No. PSC-2020-0336-PCO-EI, issued October 1, 2020.

By ORDER of Commissioner Donald J. Polmann, as Prehearing Officer, this 15th day of October, 2020.



DONALD J. POLMANN, Ph.D., P.E.
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

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appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.