

MEMORANDUM

December 18, 1997

REC VED

DEC 1 1997

9.30

FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (ELIAS) RVE  
RE: DOCKET NO. 961477-EQ - PETITION FOR EXPEDITED APPROVAL OF  
SETTLEMENT AGREEMENT WITH LAKE COGEN, LTD., BY FLORIDA  
POWER CORPORATION

PSC-97-1586-PO-19

Attached is an ORDER GRANTING MOTION FOR ENLARGEMENT OF TIME  
TO FILE A RESPONSE to be issued in the above referenced docket.  
(Number of pages in order - 3)

ROBERT V. ELIAS/js  
Attachment  
cc: Division of Electric and Gas  
I:961477et.rve

**MUST GO TO BAL**

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for expedited approval of settlement agreement with Lake Cogen, Ltd., by Florida Power Corporation.

DOCKET NO. 961477-EQ  
ORDER NO. PSC-97-1586-PCO-EQ  
ISSUED: December 19, 1997

ORDER GRANTING MOTION FOR ENLARGEMENT OF TIME TO FILE A RESPONSE

On December 5, 1997, Lake Cogen, Ltd. ("Lake") timely filed a Petition on Proposed Agency Action, protesting Order No. PSC-97-1437-FOF-EQ, issued November 14, 1997 in this docket. On December 12, 1997, Florida Power Corporation ("FPC") filed a Motion to Dismiss Lake's Petition on Proposed Agency Action.

On December 18, 1997, Lake filed its Unopposed Motion for Enlargement of Time to file a Response to Florida Power Corporation's Motion to Dismiss. Lake seeks an extension through January 9, 1998 to file a response to FPC's Motion to Dismiss. Lake's Motion states that counsel for Lake "has contacted FPC's counsel and is authorized to represent that FPC does not object to this request. There are no other parties to the docket.

Having reviewed the request, I find that it should be granted.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Lake Cogen, Ltd.'s Unopposed Motion for Enlargement of Time to file a Response to Florida Power Corporation's Motion to Dismiss is granted. Lake shall file its response no later than January 9, 1998.

DOCUMENT NUMBER DATE

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ORDER NO. PSC-97-1586-PCO-EQ  
DOCKET NO. 961477-EQ  
PAGE 2

By ORDER of Commissioner Joe Garcia, as Prehearing Officer,  
this 19th day of December, 1997.

  
\_\_\_\_\_  
JOE GARCIA  
Commissioner and Prehearing Officer

( S E A L )

RVE

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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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 Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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

ORDER NO. PSC-97-1586-PCO-EQ  
DOCKET NO. 961477-EQ  
PAGE 3

review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.