

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determine of need for a new
combined cycle generating unit and onsite
associated facilities located at St. Johns River
Power Park Unit 3 in Duval County, by JEA.

DOCKET NO. 20260087-EM
ORDER NO. PSC-2026-0274-PHO-EM
ISSUED: August 11, 2026

PREHEARING ORDER

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code (F.A.C.), a Prehearing Conference was held on August 4, 2026, in Tallahassee, Florida, before Commissioner Michael La Rosa, as Prehearing Officer.

APPEARANCES:

BROOKE E. HUMPHREY and MATTHEW E.W. BRYANT, ESQUIRES,
Stearns Weaver Miller, 106 E. College Ave, Tallahassee, FL 32301
On behalf of JEA.

ALISHA HIXON and SHAW STILLER , ESQUIRES, Florida Public Service
Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
On behalf of the Florida Public Service Commission (Staff).

MARY ANNE HELTON, ESQUIRE, Deputy General Counsel, Florida Public
Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-
0850
Advisor to the Florida Public Service Commission.

ADRIA E. HARPER, ESQUIRE, General Counsel, Florida Public Service
Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Florida Public Service Commission General Counsel.

I. CASE BACKGROUND

On June 4, 2026, JEA filed its Petition for a Determination of Need for St. Johns River Power Park Unit 3, in accordance with Section 403.519, Florida Statutes (F.S.), Chapter 120, F.S., and Rules 25-22.081 and 28-106.201, Florida Administrative Code (F.A.C.). In its petition, JEA seeks an affirmative determination of need for a new combined cycle generating unit and onsite associated facilities to be located at the JEA's existing St. Johns River Power Park site in Jacksonville, Florida.

In this docket, the Commission will consider that need determination. This matter has been scheduled for a formal administrative hearing on August 18, 2026.

II. CONDUCT OF PROCEEDINGS

Pursuant to Rule 28-106.211, F.A.C., this Prehearing Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

III. JURISDICTION

This Commission is vested with jurisdiction over the subject matter by the provisions of Chapter 120, 366, and 403, Florida Statutes (F.S.). This hearing will be governed by said Chapters and Chapters 25-22, and 28-106, F.A.C., as well as any other applicable provisions of law.

IV. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

Information for which proprietary confidential business information status is requested pursuant to Section 366.093, F.S., and Rule 25-22.006, F.A.C., shall be treated by the Commission as confidential. The information shall be exempt from Section 119.07(1), F.S., pending a formal ruling on such request by the Commission or pending return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been made a part of the evidentiary record in this proceeding, it shall be returned to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of this proceeding, it shall be returned to the person providing the information within the time period set forth in Section 366.093, F.S. The Commission may determine that continued possession of the information is necessary for the Commission to conduct its business.

It is the policy of this Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 366.093, F.S., to protect proprietary confidential business information from disclosure outside the proceeding. Therefore, any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, F.S., at the hearing shall adhere to the following:

- (1) When confidential information is used in the hearing that has not been filed as prefiled testimony or prefiled exhibits, parties must have copies for the Commissioners, necessary staff, and the court reporter, in red envelopes clearly marked with the nature of the contents and with the confidential information highlighted. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same

fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.

- (2) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise confidentiality. Therefore, confidential information should be presented by written exhibit when reasonably possible.

At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the court reporter shall be retained in the Office of Commission Clerk's confidential files. If such material is admitted into the evidentiary record at hearing and is not otherwise subject to a request for confidential classification filed with the Commission, the source of the information must file a request for confidential classification of the information within 21 days of the conclusion of the hearing, as set forth in Rule 25-22.006(8)(b), F.A.C., if continued confidentiality of the information is to be maintained.

V. PREFILED TESTIMONY AND EXHIBITS; WITNESSES

Testimony of all witnesses to be sponsored by the parties (and Staff) has been prefiled and will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to timely and appropriate objections. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Summaries of testimony shall be limited to three minutes.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer. After all parties and Staff have had the opportunity to cross-examine the witness, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

The parties shall avoid duplicative or repetitious cross-examination. Further, friendly cross-examination will not be allowed. Cross-examination shall be limited to witnesses whose testimony is adverse to the party desiring to cross-examine. Any party conducting what appears to be a friendly cross-examination of a witness should be prepared to indicate why that witness' direct testimony is adverse to its interests.

All parties must refer to the Exhibit Number established by the Comprehensive Exhibit List when referencing an exhibit during cross-examination.

VI. ORDER OF WITNESSES

Each witness whose name is preceded by a plus sign (+) will present direct and rebuttal testimony together.

<u>Witness</u>	<u>Proffered By</u>	<u>Issues #</u>
<u>Direct</u>		
Name	Utility/Staff	
Jody L. Brooks	JEA	1-7
James Stancin	JEA	1, 3-6
Melinda Fischer	JEA	1-6
Wayne J. Oliver	JEA	3, 5, 6
Hua Fang	JEA	4-6
Matt M. Oakes	JEA	5, 6
Brian Pippin	JEA	2, 5, 6
Jim Herndon	JEA	2, 5, 6
Bradley E. Kushner	JEA	1-7

VII. BASIC POSITIONS

JEA: The Commission should grant the petition for determination of need for St. Johns River Power Park (SJRPP) Unit 3 because the analysis presented in the pre-filed testimony and exhibits of JEA's witnesses demonstrate that the proposed combined cycle facility is needed to meet the electrical demand of JEA's customers and otherwise favorably addresses all of the factors set forth in section 403.519, Florida Statutes. JEA's analyses demonstrate that SJRPP Unit 3 with an in-service date of January 1, 2031, is the most cost-effective and system beneficial alternative to meet JEA's capacity needs, while providing for more efficient use of natural gas, increasing fuel diversity, reducing CO₂ emissions, enhancing flexibility and reliability, relieving power import strains on JEA's electric transmission system, and helping to avoid costly updates that would

otherwise be necessary to extend the life of JEA's existing Northside Generating Station (NGS) Unit 3.

Based on its continuing evaluation and assessment of its resource portfolio against its load forecast and reliability criteria, JEA projects a need for an additional 72 MW in the 2031 timeframe, increasing to 222 MW in 2033 and 802 MW in 2035, to ensure a reliable long-term energy supply for JEA's customers. This projected need results primarily from increased demand during the winter and summer peaks, organic load growth in both the residential and commercial/industrial sectors, and planned unit retirement. The demand-side management (DSM) and conservation savings actually and estimated to be achieved by JEA and its customers through its Commission-approved DSM plan pursuant to the Florida Energy Efficiency and Conservation Act (FEECA), section 366.82, Florida Statutes, as well as other DSM programs, are reflected in JEA's load forecast, yet JEA still has a growing need. There are no additional cost-effective DSM or conservation measures reasonably available to offset JEA's need.

JEA's Board unanimously approved moving forward with developing SJRPP Unit 3 following JEA's thorough evaluation of generating and non-generating alternatives to meet its needs, including renewable resources and DSM options. As part of this analysis, JEA initiated a highly transparent, competitive solicitation for firm, fully dispatchable capacity. JEA conducted an extensive multi-phase economic and qualitative evaluation of the proposals received, as well as JEA's own self-build resource, monitored and confirmed by an independent evaluator. The self-build resource – a one-on-one (1 x 1) natural gas- and fuel-oil fired combined cycle unit – was the most cost-effective alternative, and also highest ranked in terms of system benefits related to dispatch, flexibility, and reliability. SJRPP Unit 3 would result in savings of approximately \$92 million in cumulative present worth cost (CPWC) over the next least cost alternative. Importantly, the next least cost alternative would include constructing a 1 x 1 combined cycle facility (like SJRPP Unit 3) in 2035. The economic cost of even a one-year delay of SJRPP Unit 3 is approximately \$20 million in CPWC. SJRPP Unit 3 is the most cost-effective and system beneficial option to meet the needs of JEA and its customers.

STAFF: Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions.

VIII. ISSUES AND POSITIONS

ISSUE 1: **Is there a need for the proposed St. Johns River Power Park Unit 3, taking into account the need for electric system reliability and integrity, as this criterion is used in Section 403.519(3), Florida Statutes?**

JEA: Yes. JEA's power supply planning process begins with the development of its forecast of peak demand and net energy to load (NEL) based on customer growth, historical energy sales and weather data. JEA's peak demand forecast, plus an additional 15 percent reserve margin, is utilized to determine the need for additional resources. The DSM and conservation savings achieved and estimated to be achieved by JEA and its customers through its FEECA DSM plan and other conservation efforts are reflected in JEA's load forecast, yet JEA still has a growing need. JEA's required reserve margin is projected to fall below the 15 percent reserve margin beginning in the winter of 2028 with increasing capacity requirements thereafter. Based on JEA's current forecasted winter demand, JEA has a need for 72 MW in 2031, increasing to 222 MW in 2033 and 802 MW in 2035. SJRPP Unit 3 will provide 678 MW (net; winter) of capacity starting in January 2031 to meet this need (additional off-system purchases can be made to maintain the target reserve margin until 2031). SJRPP Unit 3 will also increase fuel diversity, allow for more efficient use of natural gas, reduce CO₂ emissions, enhance flexibility and reliability, enhance grid reliability, and help to avoid approximately \$834.1 million in updates that would otherwise be necessary to extend the life of JEA's existing NGS Unit 3. (Brooks, Stancin, Fischer, Kushner).

STAFF: Staff has no position at this time.

ISSUE 2: **Are there any renewable energy sources and technologies or conservation measures taken by or reasonably available to JEA, which might mitigate the need for the proposed St. Johns River Power Park Unit 3?**

JEA: No. JEA has faced substantial challenges expanding renewable technologies within its service territory and regulatory changes have impacted their affordability. Additional renewable technologies and energy storage as alternatives to SJRPP Unit 3 were considered in the evaluation of generating alternatives and were evaluated as potential resources that would be added if doing so was part of the overall most cost-effective resource plan to meet demand. The results show that the addition of renewable energy resources would not be cost-effective relative to SJRPP Unit 3.

The DSM and conservation savings achieved and estimated to be achieved by JEA and its customers are reflected in JEA's load forecast at a level approximately two times JEA's Commission-approved numeric conservation goals. JEA will still need 72 MW of additional capacity in 2031, increasing to 222 MW in 2033 and 802 MW

in 2035. To mitigate the need for SJRPP Unit 3, JEA would need to achieve more than 30 times the amount of DSM reflected in JEA's current goals for 2031, and 46 times the amount of DSM JEA achieved in 2025 (winter). JEA updated its analysis of potential DSM resources from that presented to the Commission in support of its FEECA goal setting in 2024. This updated analysis, coupled with JEA's own analyses and ongoing efforts, demonstrates that cost-effective DSM or conservation measures are not reasonably available to JEA to mitigate the need for SJRPP Unit 3. (Brooks, Fischer, Pippin, Herndon, Kushner)

STAFF: Staff has no position at this time.

ISSUE 3: **Is there a need for the proposed St. Johns River Power Park Unit 3, taking into account the need for adequate electricity at a reasonable cost, as this criterion is used in Section 403.519(3), Florida Statutes?**

JEA: Yes. SJRPP Unit 3 will be a highly efficient, state-of-the art combined cycle facility that will allow for more efficient use of natural gas, reduce system CO₂ emissions and help avoid costly updates that would otherwise be necessary to extend the life of JEA's existing NGS Unit 3. Locating SJRPP Unit 3 on a parcel formerly utilized for electric generation will allow for use of existing infrastructure, allow power to be transported via existing 230-kV transmission lines, and significantly minimize overall environmental impacts as compared to locating new generation on a greenfield site—all providing substantial benefits to JEA's customers.

Based on a competitive market process following JEA's issuance of a request for proposals (RFP), consideration of system benefits and risks, and extensive economic modeling, the resource plan that includes SJRPP Unit 3 coming into service in January 2031, is the most cost-effective alternative for meeting JEA's capacity needs, resulting in a CPWC savings of approximately \$92 million as compared to the next lowest cost alternative. (Brooks, Fischer, Stancin, Kushner, Oliver)

STAFF: Staff has no position at this time.

ISSUE 4: **Is there a need for the proposed St. Johns River Power Park Unit 3, taking into account the need for fuel diversity and supply reliability, as this criterion is used in Section 403.519(3), Florida Statutes?**

JEA: Yes. SJRPP Unit 3 will provide reliable dispatchable power, allow for more efficient use of natural gas, reduce system CO₂ emissions, provide support to reliably integrate the import of power into the JEA system, and enhance flexibility and reliability. The output of SJRPP Unit 3 will displace all gas-fired energy

currently produced by NGS Unit 3, utilizing 37% less gas per MWh. This efficiency reduces JEA's aggregate gas requirement to serve the same load and will result in a reduction of 0.22 tons of CO₂ per MWh. SJRPP Unit 3 also has dual-fuel capability (natural gas or fuel oil), which enhances fuel supply resilience and overall efficiency by moderating exposure to gas price volatility and supporting a more balanced and reliable generation mix. (Brooks, Stancin, Fischer, Fang Kushner)

STAFF: Staff has no position at this time.

ISSUE 5: **Will the proposed St. Johns River Power Park Unit 3 provide the most cost-effective alternative available, as this criterion is used in Section 403.519(3), Florida Statutes?**

JEA: Yes. SJRPP Unit 3 is the most cost-effective alternative to meet the needs of JEA's customers. Based on a competitive market process following JEA's issuance of a RFP overseen by an independent evaluator and extensive economic modeling, the resource plan that includes SJRPP Unit 3 coming into service in January 2031, is the most cost-effective alternative to meet JEA's capacity needs, resulting in a CPWC savings of approximately \$92 million as compared to the next lowest cost alternative. Importantly, the next lowest cost alternative would include the addition of an advanced class combined cycle unit (like SJRPP Unit 3) in 2035. Thus, the next lowest cost alternative would still include the addition of combined cycle technology in the relatively near-term, essentially reflecting a 4-year delay in the addition of the proposed SJRPP Unit 3. (All JEA witnesses)

STAFF: Staff has no position at this time.

ISSUE 6: **Based on the resolution of the foregoing issues and other matters within its jurisdiction which it deems relevant, should the Commission grant JEA's petition to determine the need for the proposed St. Johns River Power Park Unit 3?**

JEA: Yes. The analyses and other information presented in the testimony of JEA's witnesses demonstrate that an affirmative need determination is warranted for SJRPP Unit 3 based on consideration of the relevant factors set forth in section 403.519, Florida Statutes. JEA will have a need for 72 MW in 2031, increasing to 222 MW in 2033 and 802 MW in 2035. The proposed SJRPP Unit 3 will ensure that JEA has an adequate supply of power to serve its customers' needs at a reasonable cost. The competitive RFP process overseen by an independent evaluator; extensive economic analyses of various technologies, including renewable technologies; and consideration of system risks and benefits;

demonstrate that SJRPP Unit 3 is the most cost-effective, system-beneficial alternative to meet JEA's power supply needs. SJRPP Unit 3 will improve system reliability, fuel diversity, and operational flexibility while avoiding substantial and costly system upgrades and reducing emissions. JEA implements DSM programs pursuant to its Commission-approved DSM plan, along with additional conservation efforts, all of which are accounted for in JEA's projected need. Additional cost-effective conservation measures are not available to mitigate the need for SJRPP Unit 3. (All JEA witnesses)

STAFF: Staff has no position at this time.

ISSUE 7: Should this docket be closed?

JEA: Yes. Upon issuance of a final order granting JEA's petition for need determination for SJRPP Unit 3, Docket No. 20260087-EM should be closed.

STAFF: Yes, upon the issuance of a final order.

IX. EXHIBIT LIST

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
<u>Direct</u>			
Jody Brooks	JEA	JB-1	Resume of Jody Brooks
Jody Brooks	JEA	Revised JB-2	JEA Need Study (Rev. 1) Sections 1.0, 1.1, 1.2, 1.7, 1.8, 2.0, 3.0, 3.1, 3.3, 3.3.3, 8.0, 9.0, and all tables and figures referenced therein.
Jody Brooks	JEA	JB-3	JEA Service Territory
Jody Brooks	JEA	JB-4	JEA Existing Power Purchase Agreement Schedule
James Stancin	JEA	JS-1	Resume of James Stancin
James Stancin	JEA	JS-2	Project Layout
James Stancin	JEA	JS-3	Site Location

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
James Stancin	JEA	JS-4	Renderings
James Stancin	JEA	JS-5	Site and Vicinity
James Stancin	JEA	JS-6	Capital Cost Estimate
James Stancin	JEA	Revised JB-2	JEA Need Study (Rev. 1) Sections 1.3, 3.3.1, 4.1, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 4.1.7, 4.1.8, 4.1.10, 4.1.11, 6.2.2, and all tables and figures referenced therein.
Melinda Fischer	JEA	MF-1	Resume of Melinda Fischer
Melinda Fischer	JEA	MF-2	2026 Ten-Year Site Plan
Melinda Fischer	JEA	MF-3	Table of Large Load Assumptions
Melinda Fischer	JEA	MF-4	Market Test RFP
Melinda Fischer	JEA	MF-5	Tables of Economic Results and Scoring
Melinda Fischer	JEA	MF-6	Table of Qualitative Evaluation
Melinda Fischer	JEA	MF-7	Total RFP Scores
Melinda Fischer	JEA	Revised JB-2	JEA Need Study (Rev. 1) Sections 1.4, 1.5, 3.2, 3.3.2, 3.3.2.1, 3.3.2.2, 3.3.2.3, 3.3.2.4, 3.3.2.5, 3.3.2.6, 3.3.2.7, 3.4, 4.1.9, 5.1, 5.2, 5.2.1, 5.2.2, 5.2.3, 5.2.3.1, 5.2.3.2, 5.2.4, 5.2.5, 5.2.6, 5.2.7, 5.3, 5.4, 5.5, 6.0, 6.1, 6.2, 6.2.1, 6.2.3, 6.3, and all tables and figures referenced therein
Hua Fang	JEA	HF-1	Resume of Hua Fang
Hua Fang	JEA	Revised HF-2	Base Fuel Price Assumptions

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Hua Fang	JEA	Revised HF-3	High and Low Fuel Price Assumptions
Hua Fang	JEA	Revised JB-2	JEA Need Study (Rev. 1) Section 6.4.5 and Tables 6-3 and 6-4
Matt Oakes	JEA	MO-1	Resume of Matt Oakes
Matt Oakes	JEA	Second Revised MO-2	Cost and Performance Assumptions for Generating Alternatives (natural gas generating alternatives)
Matt Oakes	JEA	Revised JB-2	JEA Need Study (Rev. 1) Section 6.4.4 and Table 6-2
Jim Herndon	JEA	JH-1	Resume of Jim Herndon
Jim Herndon	JEA	JH-2	MPS for JEA (2024)
Jim Herndon	JEA	JH-3	Update to MPS for JEA (2026)
Jim Herndon	JEA	JB-2	JEA Need Study (Rev. 1) Section 7.2
Brian Pippin	JEA	BP-1	Resume of Brian Pippin
Brian Pippin	JEA	BP-2	JEA's DSM Goals 2025-2034
Brian Pippin	JEA	Revised JB-2	JEA Need Study (Rev. 1) Sections 1.6, 7.0, 7.1.1, and 7.1.2, and all tables and figures referenced therein.
Bradley Kushner	JEA	BK-1	Resume of Bradley E. Kushner
Bradley Kushner	JEA	Revised BK-2	Modeling Results Table
Bradley Kushner	JEA	Second Revised MO-2	Cost and Performance Assumptions for Generating Alternatives (solar, battery energy storage, and small modular reactor alternatives)

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Bradley Kushner	JEA	Revised JB-2	JEA Need Study (Rev. 1) Sections 6.4, 6.4.1, 6.4.2, 6.4.2.1, 6.4.3, 6.4.6, 6.4.7, 6.4.7.1, 6.4.7.2, 6.5, and all tables and figures referenced therein.
Wayne Oliver	JEA	WO-1	Resume of Wayne Oliver
Wayne Oliver	JEA	WO-2	Independent Evaluation Report

X. PROPOSED STIPULATIONS

There are no proposed stipulations at this time.

XI. PENDING MOTIONS

There are no pending motions.

XII. PENDING CONFIDENTIALITY MATTERS

JEA's Request for Confidential Classification of information provided in responses to Staff's First Set of Interrogatories No. 1(b) filed July 7, 2026.

XIII. POST-HEARING PROCEDURES

If no bench decision is made, each party shall file a post-hearing statement of issues and positions. A summary of each position, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of this Prehearing Order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 50 words, it must be reduced to no more than 50 words. If a party fails to file a post-hearing statement, that party shall have waived all issues and may be dismissed from the proceeding.

Pursuant to Rule 28-106.215, F.A.C., a party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 40 pages and shall be filed at the same time.

XIV. RULINGS

Opening statements, if any, shall not exceed five minutes per party.

It is therefore,

ORDERED by Commissioner Michael La Rosa, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Commissioner Mike La Rosa, as Prehearing Officer, this 11th day of August, 2026.



MIKE LA ROSA
Commissioner and Prehearing Officer
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
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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.

AH

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.