

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of Florida) DOCKET NO. 940357-EQ
Power Corporation against) ORDER NO. PSC-94-1038-PCO-EQ
Orlando Cogen Limited, L.P. for) ISSUED: August 24, 1994
resolution of a cogeneration)
contract dispute.)
_____)

ORDER GRANTING MOTION TO EXTEND DATES FOR FILING
TESTIMONY, PRELIMINARY LIST OF ISSUES AND POSITIONS AND
HOLDING PRE-PREHEARING CONFERENCE

On August 19, 1994, Orlando Cogen Limited, L.P. (OCL) filed a Motion to Reschedule Submission of Prefiled Testimony to Follow Ruling on Motion to Dismiss and Motion to Toll Time. In that Motion, OCL requested that the dates for filing testimony be rescheduled to a date subsequent to a ruling on a pending Motion to Dismiss. On August 22, 1994, Florida Power Corporation (FPC) responded to OCL's Motion indicating it had no objection to rescheduling the dates.

In response to the Motion, the following dates are being changed:

| | <u>Previous Date</u> | <u>New Date</u> |
|---|----------------------|--------------------|
| FPC Direct Testimony | August 22, 1994 | September 9, 1994 |
| OCL's Direct Testimony | September 12, 1994 | September 26, 1994 |
| Preliminary List of Issues and Positions | September 28, 1994 | October 5, 1994 |
| Pre-Prehearing Conference | October 5, 1994 | October 7, 1994 |
| Rebuttal Testimony | October 3, 1994 | October 10, 1994 |

In consideration of the foregoing, it is

ORDERED that the dates described in the body of this Order are now controlling in this proceeding.

DOCUMENT NUMBER-DATE

08658 AUG 24 1994

FPSC-RECORDS/REPORTING

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By ORDER of Commissioner Susan F. Clark, as Prehearing
Officer, this 24th day of August, 1994.



SUSAN F. CLARK, Commissioner and
Prehearing Officer

(S E A L)

MRC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.