

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery  
clause with generating performance incentive  
factor.

DOCKET NO. 20240001-EI  
ORDER NO. PSC-2024-0062-PCO-EI  
ISSUED: March 11, 2024

ORDER GRANTING FLORIDA POWER & LIGHT  
COMPANY'S UNOPPOSED MOTION TO STAY  
REBUTTAL TESTIMONY DEADLINE

On March 8, 2024, Florida Power & Light Company (FPL) filed an Unopposed Motion to Stay Rebuttal Testimony Deadline (Motion). In its Motion, FPL states that Order No. PSC-2023-0207-PCO-EI, issued July 24, 2023, set a hearing schedule and filing dates for testimony on issues associated with FPL's nuclear power plant replacement power costs for the years 2020 through 2022. FPL filed direct testimony on January 5, 2024, and the Office of Public Counsel and Commission Staff filed opposing direct testimony on February 5, 2024. FPL's rebuttal testimony is currently scheduled to be filed on Tuesday, March 12, 2024.

At this time FPL and OPC have reached agreement on stipulated positions that would resolve all issues. No party opposes the stipulated positions.<sup>1</sup> That being the case, FPL is requesting that the proposed stipulations be considered by the Commission on the first day of the March 26-27, 2024 final hearing and that the filing of FPL's rebuttal testimony be stayed pending the Commission's consideration of the stipulated positions on March 26<sup>th</sup>. In the event that the Commission declines to approve the stipulated positions on March 26<sup>th</sup>, FPL requests that a new trial schedule be set, e.g., dates for filing rebuttal testimony, prehearing statements, hearing, etc.

Given the limited nature of the matters at issue in this proceeding, the procedure outlined above will allow this matter to be resolved efficiently while protecting the due process rights of all parties involved. For these reasons, FPL's Unopposed Motion to Stay Rebuttal Testimony Deadline is hereby granted.

Therefore, it is

ORDERED that Florida Power & Light Company's Unopposed Motion to Stay Rebuttal Testimony Deadline is hereby granted as set forth herein. It is further

ORDERED that the filing date of March 12, 2024 for Florida Power & Light Company's rebuttal testimony is hereby stayed.

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<sup>1</sup> The Florida Retail Federation and Florida Industrial Power Users Group are the only other parties to this docket that have standing to participate in this proceeding.

By ORDER of Commissioner Gabriella Passidomo, as Prehearing Officer, this 11th day of March, 2024.



Gabriella Passidomo  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
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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.