

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination of need for
Andytown-Oasis transmission lines project in
Broward and Miami-Dade Counties, by Florida
Power & Light Company.

DOCKET NO. 20260020-EI
ORDER NO. PSC-2026-0179-FOF-EI
ISSUED: June 1, 2026

The following Commissioners participated in the disposition of this matter:

GARY F. CLARK
BOBBY PAYNE
ANA ORTEGA

FINAL ORDER APPROVING DETERMINATION OF NEED
FOR ELECTRICAL TRANSMISSION LINES

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BY THE COMMISSION:

BACKGROUND

On February 9, 2026, pursuant to Section 403.537, Florida Statutes (F.S.), and Rule 25-22.075, Florida Administrative Code (F.A.C.), Florida Power & Light Company (FPL) filed a Notice of Intent to File Petition for Transmission Lines Need Determination. FPL subsequently filed its Petition to Determine Need for Electrical Transmission Lines on March 11, 2026, in accordance with Section 403.537, F.S., Chapter 120, F.S., and Rules 25-22.076 and 28-106.201, F.A.C.

FPL petitioned for an affirmative determination of need for the construction of four new high-voltage transmission lines: (a) one 500-kilovolt (kV) line starting at FPL's existing Andytown substation in Broward County and ending at FPL's planned Oasis substation in Miami-Dade County; (b) one 500-kV line starting at FPL's existing Quarry substation in Miami-Dade County and ending at FPL's planned Oasis substation in Miami-Dade County; (c) one 230-kV line starting at FPL's planned Oasis substation in Miami-Dade County and ending at FPL's existing Quarry substation in Miami-Dade County; and (d) one 230-kV line starting at FPL's planned Oasis substation in Miami-Dade County and ending at FPL's existing Levee substation in Miami-Dade County (collectively, the Andytown-Oasis Transmission Lines Project or AOP).

A formal administrative hearing was held on April 23, 2026. Post-hearing briefs were filed by the parties on April 29, 2026. On May 11, 2026, we held a Special Agenda Conference where Florida Public Service Commission (Commission) staff provided us with an oral recommendation on each issue. After reviewing all the evidence, and with the benefit of post-hearing briefs as well as Commission staff's recommendation, we rendered our official vote and decision for purposes of Section 403.537, F.S., on May 11th approving each of the four transmission lines of the AOP, as discussed within the body of this Order.

An affirmative determination of need is a condition precedent to the conduct of the siting processes under Chapter 403, F.S.¹ As we have noted in prior orders, it is prudent for a utility to continue to evaluate whether a project remains in the best interests of its ratepayers. If conditions change from those presented at the need determination proceeding, then a prudent utility is expected to respond appropriately.²

¹ Section 403.507(4)(b), F.S. (siting of electrical power plants); Section 403.537(1)(d), F.S. (siting of electric transmission lines); Section 403.9422(1)(c), F.S. (siting of natural gas transmission pipelines).

² See e.g., Order No. PSC-2018-0263-FOF-EC, issued May 25, 2018, in Docket No. 20170267-EC, *In re: Joint petition for determination of need for Shady Hills combined cycle facility in Pasco County, by Seminole Electric Cooperative, Inc. and Shady Hills Energy Center, LLC*, p. 28; Order No. PSC-2018-0150-FOF-EI, issued March 19, 2018, in Docket No. 20170225-EI, *In re: Petition for determination of need for Dania Beach Clean Energy Center*

We are vested with subject matter jurisdiction over this matter pursuant to Section 403.537, F.S.

LEGAL STANDARD

Any transmission line³ proposed by a Florida electric utility⁴ which is designed to operate at 230-kV or more is subject to the Florida Electric Transmission Line Siting Act (TLSA) and, unless it meets one of four statutory exemptions, must receive an affirmative determination of need prior to construction. Section 403.524, F.S. This Commission is the sole forum for a transmission line need determination under the TLSA. Section 403.537(1)(b), F.S.; *see Fla. Power Corp. v. State of Florida, Siting Bd.*, 513 So. 2d 1341, 1344 (Fla. 1st DCA 1987).

Transmission lines that “are located in a single county in the state” are statutorily exempt from the TLSA need determination requirements. Section 403.524(2)(d), F.S. Of the four substations involved in this proceeding as starting and ending points for the proposed transmission lines, only Andytown is located in Broward County. The remaining three substations will be within Miami-Dade County. As a result, three of the four transmission lines of the AOP will be constructed entirely within Miami-Dade County and, although designed to operate at a minimum of 230-kV, would normally be exempt from certification under the TLSA. However, the statutory provision that exempts intra-county lines from the TLSA does not apply if “the applicant has applied for certification under this act.” Section 403.524(2)(d), F.S. Because one of the four lines that comprise the AOP is subject to the TLSA and required an application for a need determination (in this case the 500-kv Andytown-Oasis transmission line), FPL included the other three lines in its petition as permitted by the statute to allow for a more comprehensive review of the project as a whole.

Pursuant to Section 403.537(1)(c), F.S., in determining the need for transmission lines, we shall take into account:

- (1) the need for electric system reliability and integrity;
- (2) the need for abundant, low-cost electrical energy to assure the economic well-being of the residents of this state;
- (3) the appropriate starting and ending point of the line; and
- (4) other matters within the Commission’s jurisdiction deemed relevant to the determination of need.

Unit 7, by Florida Power & Light Company, p. 14; Order No. PSC-14-0557-FOF-EI, issued October 10, 2014, in Docket No. 140110-EI, *In re: Petition for determination of need for Citrus County Combined Cycle Power Plant, by Duke Energy Florida, Inc.*, pp. 6, 18.

³ Section 403.522(22), F.S.

⁴ Section 403.522(12), F.S.

ANALYSIS AND DECISION

I. Impacts of Federal Energy Regulatory Commission Orders

All parties to this proceeding correctly recognize that Section 403.537, F.S., governs transmission line need determinations before this Commission. However, the parties disagree regarding the scope of considerations that we must take into account during such proceedings. Subsection (1)(c) of Section 403.537, F.S., directs us to “take into account . . . other matters within [our] jurisdiction deemed relevant to the determination of need.” To fall within this catch-all provision, something must be *both* within our jurisdiction *and* deemed relevant by us to the determination of need. EDF and OPC argue that Federal Energy Regulatory Commission (FERC) Order Nos. 1000, 1920, 1920-A, and 1920-B are relevant to this proceeding and within our jurisdiction. Given the totality of circumstances presented in this case, with the benefit of a full evidentiary record, we disagree and find that those FERC Orders are not relevant to this proceeding and are beyond our jurisdiction, as discussed more fully below.

A. FERC Order No. 1000

1. Jurisdiction

FERC Order No. 1000, issued July 2011, was intended to improve transmission planning and cost allocation mechanisms by requiring FERC-jurisdictional transmission providers to participate in a regional planning process that accounts for reliability, cost-effectiveness, and public policy. FERC Order No. 1000, ¶¶ 1–12. Under the regional transmission planning framework of FERC Order No. 1000, a project is considered “regional” if it provides benefits to two or more FERC-jurisdictional transmission providers. *See* FERC Order No. 1000, ¶¶ 63–66 (referring to cost-allocation principles in addressing a regional transmission need).

EDF argues that FERC Order No. 1000 is within our jurisdiction to consider because of our jurisdiction over the planning and development of transmission facilities to ensure reliability and avoid uneconomic duplication of transmission facilities as well as our overarching statutory mandate to regulate utilities in the public interest. EDF adds that under principles of federal supremacy, state regulatory commissions must consider and give effect to FERC-approved tariffs and federal transmission regulations. OPC averred that Rule 25-22.076(3), F.A.C., indicates regional information subject to FERC’s jurisdiction is appropriate for us to consider. FPL counters that nothing in either Section 403.537 or Section 366.04(5), F.S., grants this Commission authority to enforce, implement, revise, supervise, or entertain complaints or collateral attacks on regional transmission planning processes. For the following reasons, we conclude FERC Order No. 1000 is beyond our jurisdiction.

“As the State entity charged by law with planning and regulating the generation and transmission of electrical power throughout Florida, the [Commission] is to determine its own jurisdiction.” *Roemmele-Putney v. Reynolds*, 106 So. 3d 78, 80 (Fla. 1st DCA 2013). In *Florida Public Service Commission v. Bryson*, the Florida Supreme Court recognized our discretion “to interpret the statutes that empower [us], including jurisdictional statutes, and to make rules and

issue orders accordingly.” 569 So. 2d 1253, 1255 (Fla. 1990). In resolving jurisdictional issues, courts have looked to the nature of the relief sought “because it is the *nature of the relief sought*, not the language of the complaint, that ultimately determines which tribunal has jurisdiction over the claim.” *Fla. Power & Light Co. v. Albert Litter Studios, Inc.*, 896 So. 2d 891, 893 (Fla. 3d DCA 2005) (emphasis in original). Although “states retain authority over transmission-line siting, permitting, and construction, and apply state law in reviewing transmission-line applications,” *Transource Pennsylvania, LLC v. DeFrank*, 156 F. 4th 351, 364 (3d Cir. 2025), jurisdiction over the regional transmission planning process contemplated in FERC Order No. 1000 rests with FERC pursuant to the Federal Power Act, 16 U.S.C. §§ 791, *et seq.* See also *Transource*, 156 F. 4th at 377. Florida’s statutes do not confer upon us a comparable scope of authority over that specific process.

We disagree with EDF’s argument that Section 366.04(5), F.S., expands our jurisdiction over the issues in this case to include FERC Order No. 1000. That statute empowers us to avoid “uneconomic duplication of generation, transmission, and distribution facilities” between utilities. Nothing therein brings FERC Order No. 1000 within this Commission’s jurisdiction. EDF’s assertion that the *possible* use of technological alternatives somehow renders the proposed AOP duplicative would mean every project presented to us was, under EDF’s reading, always duplicative of some other theoretical option. The record before us, however, does not demonstrate that the underlying need for the AOP is already being addressed by facilities approved for, or facilities to be put in place by, Florida’s electric utilities.

In Florida, the Florida Reliability Coordinating Council (FRCC) is charged with considering FERC’s orders and rules as it facilitates the regional planning process. The FRCC is a member-services organization comprised of utilities. This Commission is not a part of the FRCC, and as such, we do not participate in the planning, operation, or recommendations developed by the FRCC. The testimonies of EDF witnesses Cranston and Thomas seek to call into question the efficacy of the FRCC as a regional planning entity. However, we do not regulate the FRCC and cannot grant the relief requested by EDF’s witnesses as it relates to forcing FPL to conduct the so-called “true” FERC Order No. 1000 regional transmission planning analyses with full and timely opportunities for stakeholder involvement in that process. Nor can we adjudicate EDF’s allegation that FPL has violated its FERC Open Access Transmission Tariff. Whether or not the FRCC adequately furthers the letter or spirit of FERC’s regional planning regime is a question beyond this Commission’s jurisdiction to answer. As FPL witness McLain correctly testified, the proper forum for such complaints is through FERC. Therefore, we find that FERC Order No. 1000 is beyond our jurisdiction.

2. Relevancy

We also find FERC Order No. 1000 irrelevant to the need determination before us. FPL offered testimony and evidence that FERC Order No. 1000 is not “regional” and is irrelevant to this proceeding because the AOP benefits only FPL and its customers, was not identified through the FRCC’s most recent Biennial Transmission Planning Process, and seeks to resolve anticipated local North American Electric Reliability Corporation (NERC) reliability standards violations. Meanwhile, EDF offered testimony and evidence in support of the assertion that

FERC Order No. 1000's regional planning processes required FPL to evaluate whether a regional solution would meet the energy grid's needs more efficiently or cost-effectively than the AOP and that FPL failed to do so. Finally, OPC argued that Rule 25-22.076(3), F.A.C., can be broadly construed so as to permit our consideration of FERC Order No. 1000.

Under the regional transmission planning framework of FERC Order No. 1000, a project is considered "regional" if it provides benefits to two or more FERC-jurisdictional transmission providers. *See* FERC Order No. 1000, ¶¶ 63–66 (referring to cost-allocation principles in addressing a regional transmission need). In this case, there is only one transmission provider who benefits—FPL. Importantly, the most recent Biennial Transmission Planning Process conducted by the FRCC did not identify any regional transmission needs within FPL's service area. This fact alone supports the conclusion that the AOP is not a regional project.

Nonetheless, we are also persuaded that the four transmission lines comprising the AOP are a localized solution to an identified local reliability problem, meaning that the AOP only benefits FPL and its customers, not other providers. FPL witness Yanes explained that Miami-Dade County is a load-dense area and is geographically constrained. Located at the southern end of mainland, peninsular Florida, Miami-Dade County is bordered by the Everglades National Park to the west and the Atlantic Ocean to the east. Miami-Dade County's electrical interconnection is thus limited to northward ties into Broward County, which is also part of FPL's service territory.

As testified to by FPL witness Yanes, transforming the AOP into a regional project (assuming FRCC had identified a regional need) could mean extending transmission from Miami-Dade County to central or west Florida (i.e., into the service territories of Duke Energy Florida, LLC (DEF) or Tampa Electric Company (TECO)), a distance exceeding 250 miles per line. In such a scenario, "to transfer the magnitude of power needed, such facilities would necessarily be constructed at the 500 kV voltage level, with at least two 500 kV lines required, resulting in a project involving a minimum of approximately 500 miles of new 500 kV transmission," compared to the approximately 75 miles of line associated with the AOP. However, TECO does not own 500-kV facilities, and DEF's 500-kV system is much further north. FPL witness Yanes concluded that the "scale, scope, cost, and geographic reach of such regional transmission solutions underscore why the AOP is appropriately planned as a local reliability project rather than a regional transmission solution."

For the foregoing reasons, we find that FERC Order No. 1000 is not relevant to this need determination proceeding.

B. FERC Order Nos. 1920, 1920-A, and 1920-B

1. Jurisdiction

FERC Order Nos. 1920, 1920-A, and 1920-B are the most recent reforms by FERC to regional and, to a lesser extent, interregional transmission planning processes. In accordance with those orders, regional transmission planning must utilize a minimum 20-year planning

horizon as well as consider alternative transmission technologies and right-sizing.⁵ While these FERC Orders contemplate a robust regional planning procedure, they do not (in and of themselves) mandate substantive outcomes. *See Transource*, 156 F. 4th at 365–66 (noting regional transmission organization officially selected project and later FERC approved project). Planning regions are only required to perform the long-term studies. They are not limited to pursuing only those projects that were assessed in those studies.

With regard to these three orders, the parties raise jurisdictional arguments that are substantially similar to those discussed in connection with FERC Order No. 1000. We need not repeat them here. As mentioned previously, our jurisdiction is grounded in state statute. At best, EDF would have us impose non-existent state planning requirements for alternatives in transmission line need determination proceedings. At worst, EDF would have us overstep and preemptively decide the adequacy of regional transmission planning in FERC's place. Suffice it to say that our rationale expressed in Section I.A.1 of this Order (addressing why FERC Order No. 1000 is beyond our jurisdiction) is equally applicable to FERC Order Nos. 1920, 1920-A, and 1920-B. Therefore, we find that FERC Order Nos. 1920, 1920-A, and 1920-B are beyond our jurisdiction.

2. Relevancy

We also find FERC Order Nos. 1920, 1920-A, and 1920-B irrelevant to the need determination before us. By way of background, Florida's FERC-jurisdictional transmission providers are required to make compliance filings with FERC pursuant to those orders. FPL, DEF, and TECO jointly moved for an extension of time to implement the orders and complete related compliance filings. FERC granted their joint motion and extended the deadline for those compliance filings to June 12, 2026. FERC also found that the first Long-Term Regional Transmission Planning Cycle must commence no later than June 12, 2028. FPL, DEF, and TECO selected January 1, 2028 to commence the new planning cycle. Therefore, even assuming *arguendo* that we have jurisdiction to consider the orders, the impacts of FERC Order Nos. 1920, 1920-A, and 1920-B on FPL's regional transmission planning are not ripe for our review, particularly in light of the extended compliance period FERC authorized.

While EDF argues that we must consider and give effect to the FERC-approved tariffs and federal transmission regulations, FERC Order Nos. 1920, 1920-A, and 1920-B do not expressly freeze or prohibit utilities from seeking to address current reliability needs in the interim compliance period nor require project deferral pending future regional long-term studies. As explained by FPL witness McLain, these three orders “supplement[] existing planning processes by requiring transmission providers to incorporate long-term regional considerations going forward” but do not otherwise “invalidate local or near-term projects developed outside the long-term planning cycle,” like the AOP. In fact, FERC confirmed as much when it declined to require “transmission providers to conduct a regional transmission planning process that simultaneously plans for shorter-term reliability . . . needs . . . through a combined process.”

⁵ “Right-sizing” is defined as “the process of modifying a transmission provider’s in-kind *replacement* of an *existing* transmission facility to increase that facility’s transfer capability.” FERC Order 1920, ¶ 1678 (emphasis added).

FERC Order 1920-A, ¶ 214. Instead, FERC “continue[d] to find that local and regional transmission planning processes serve essential and complementary roles.” FERC Order 1920-A, ¶ 818.

For the foregoing reasons, we find that FERC Order Nos. 1920, 1920-A, and 1920-B are not relevant to this need determination proceeding.

II. *Need Determination Criteria*

In determining the need for transmission lines, Section 403.537(1)(c), F.S., requires us to take into account: (1) the need for electric system reliability and integrity; (2) the need for abundant, low-cost electrical energy to assure the economic well-being of the residents of this state; (3) the appropriate starting and ending point of the line; and (4) other matters within this Commission’s jurisdiction deemed relevant to the determination of need. Having found FERC Order Nos. 1000, 1920, 1920-A, and 1920-B outside our jurisdiction and not relevant to the determination of need in this proceeding, we afford such evidence no weight in our disposition of the remaining issues.

As discussed more fully below, we approve the four transmission lines of the AOP, finding them needed and finding their starting and ending points to be appropriate.

A. Electric System Reliability and Integrity

FPL asserted that additional transmission lines are essential to prevent grid failure as energy consumption in Miami-Dade County rises. With respect to system reliability and integrity, FPL projects that by summer 2033, peak demand in the area will reach approximately 7,200 megawatts, resulting in thermal overloads and low-voltage conditions under several contingency scenarios. The testimony indicates that absent the AOP, the system would violate mandatory NERC reliability standards, creating a risk of load shedding to maintain grid stability. While reliability need is triggered by the summer 2033 peak, the AOP is scheduled for completion in two phases, with the initial 500-kV line placed in service by 2031, which will help mitigate anticipated load issues on critical facilities based on the forecasted load growth.

EDF and OPC raised concerns about FPL’s usage of a P80 load forecast instead of a P50 load forecast in its transmission study. A P80 load forecast is more conservative in that it assumes that the actual load has an 80 percent probability of being below the forecasted value. FPL’s use of the more conservative load forecast was appropriate in this proceeding due to the geographic constraints associated with Miami-Dade County. The primary interconnections are only those towards Broward County in the north and due to the high density in the area the ability to install generation is limited, in addition to fuel having similar import issues as the “end of the line.”

Based on the evidence presented, we are persuaded that the AOP is essential to mitigate the load growth of Miami-Dade County and to continue to maintain NERC reliability standards in effect. Without the AOP, there is a significant risk of overloads and potential voltage issues.

Therefore, we find that each of the four transmission lines of the AOP are needed to maintain electric system reliability and integrity as well as to resolve the identified NERC reliability standards violations.

B. Abundant, Low-Cost Electrical Energy

FPL analyzed two alternatives to the AOP. Each is capable of addressing the identified reliability need, but both had significantly higher costs when compared to the AOP. Both alternatives used four transmission lines, two 500-kV and two 230-kV. Alternative I utilized the Conservation substation instead of Andytown as the starting point in Broward County. The other three lines were the same as with the AOP. Alternative II was similar to the AOP, except one of the 230-kV lines from the planned Oasis substation connected to the Flagami substation instead of the Quarry substation. Specifically, the AOP's cumulative present value revenue requirement (CPVRR) is approximately \$715 million, compared to \$874 million and \$923 million for Alternatives I and II respectively.

Although the intervenors argued that grid enhancing technologies and non-wire alternatives could be less expensive, we are persuaded that the proposed 500-kV and 230-kV lines provide the necessary high-capacity transfer capability required for long-term grid stability. Furthermore, while EDF argued that FPL failed to adequately evaluate advanced technologies and possible larger regional solutions that could reduce costs when considered alongside generation changes, the alternatives proposed by EDF either did not fully address cost, need, or would not be available within the required timeframe. For example, FPL explained that advanced power flow control devices would not resolve the identified transmission reliability need and reconductoring would not sufficiently address the voltage and bulk power delivery limitations.

Of the alternatives presented, we find that the AOP is the most cost-effective with the lowest CPVRR that meets the reliability requirements outlined in Section II.A. Therefore we find that each of the four transmission lines of the AOP are needed for abundant, low-cost electrical energy to assure the economic well-being of the citizens of the State.

C. Transmission Lines Starting and Ending Points

FPL argued that the proposed starting and ending points at the Andytown, Oasis, Quarry, and Levee substations were selected to resolve predicted overloads and to use existing rights-of-way, such as railroads and highways. The testimony and exhibits of FPL witness Yanes demonstrate that the selected starting and ending points are appropriate because they will allow FPL to address identified reliability needs and resolve NERC reliability standards violations in the most cost-effective manner. As discussed in Section II.B, while alternative configurations were considered, those alternatives were not selected due to higher costs, greater routing complexities, and less favorable system performance.

EDF did not challenge the proposed starting and ending points other than to say that they did not incorporate regional planning. Similarly, OPC did not dispute the starting and ending points, but asserted that FPL did not provide sufficient transmission studies to establish the need

for the AOP. Despite the concerns raised by EDF and OPC regarding planning and study depth, the fundamental location of the project's terminals remains largely unchallenged in this proceeding.

Therefore, based on the evidence, we find that FPL's proposed starting and ending points for each transmission line are appropriate.

D. Transmission Lines Approval and Conclusion

First, as discussed in Section II.A, the AOP is needed to ensure grid reliability and integrity in Miami-Dade County. Second, as discussed in Section II.B, the AOP is also the most cost-effective option from available alternative solutions. Lastly, as discussed in Section II.C, the evidence supports that the starting and ending points are appropriate and were selected to resolve the identified reliability and integrity issues.

For all the reasons discussed above, we grant FPL's petition for determination of need for the proposed AOP and approve all four transmission lines comprising it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that there is a need for each of the four transmission lines comprising the Andytown-Oasis Transmission Lines Project, when taking into account the need for electric system reliability and integrity. It is further

ORDERED that there is a need for each of the four transmission lines comprising the Andytown-Oasis Transmission Lines Project, when taking into account the need for abundant, low cost electrical energy to assure the economic well-being of the residents of the state. It is further

ORDERED that the proposed starting and ending points for each of the four transmission lines comprising the Andytown-Oasis Transmission Lines Project are appropriate. It is further

ORDERED that Florida Power & Light Company's Petition to Determine Need for Electrical Transmission Lines is GRANTED as set forth herein. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 1st day of June, 2026.



ADAM TEITZMAN
Commission Clerk
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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.

CMM

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission (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 the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within five (5) days of the issuance of this order in accordance with Rule 25-22.075(1), Florida Administrative Code, and in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas, or telephone utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.