

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into
ratemaking considerations of
gain on sale from sale of
facilities of Florida Water
Services Corporation to Orange
County.

DOCKET NO. 980744-WS
ORDER NO. PSC-02-0098-PCO-WS
ISSUED: January 16, 2002

ORDER GRANTING JOINT MOTION FOR CONTINUANCE
AND ESTABLISHING NEW CONTROLLING DATES
FOR PREHEARING, HEARING AND BRIEFS

By Order No. PSC-00-1170-PCO-WS, issued June 27, 2000, a procedural schedule was established setting forth the controlling dates for this docket. New controlling dates for this docket were most recently established by Order No. PSC-01-2236-PCO-WS, issued November 16, 2001, pursuant to a Motion for Continuance filed by Florida Water Services Corporation (FWSC or utility).

On January 11, 2002, a Joint Motion for Continuance (Motion) was filed by FWSC and the Office of Public Counsel (OPC). In support of their Motion, the parties state that they are negotiating settlement of the case, on the belief that the parties and the Commission should not unnecessarily expend time and resources on this matter, including a potential appeal, in light of the impending sale of FWSC. OPC and FWSC jointly believe that a continuance of the prehearing and final hearing would be appropriate to allow settlement discussions to continue, and that a continuance of at least three months would be desirable and appropriate.

Based on the foregoing, the parties' joint request is reasonable and is hereby granted. Therefore, the following revised dates shall govern this case:

- | | |
|--------------------------|---------------|
| 1) Prehearing Conference | June 10, 2002 |
| 2) Hearing | June 26, 2002 |
| 3) Briefs | July 24, 2002 |

DOCUMENT NUMBER-DATE

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Based on the foregoing, it is

ORDERED by Commissioner Michael A. Palecki, as Prehearing Officer, that Florida Water Services Corporation and the Office of Public Counsel's Joint Motion for Continuance is granted. It is further

ORDERED that the controlling dates for prehearing, hearing, and briefs established in Order No. PSC-00-1170-PCO-WS are modified as set forth in the body of this Order. Order No. PSC-00-1170-PCO-WS is affirmed in all other respects.

By ORDER of Commissioner Michael A. Palecki, as Prehearing Officer, this 16th day of January, 2002.



MICHAEL A. PALECKI
Commissioner and Prehearing Officer

(S E A L)

JSB

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, 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 the Commission Clerk and Administrative Services, 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.