

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida Water Services Corporation (FWSC) for determination of exclusive jurisdiction over FWSC's water and wastewater land and facilities in Hernando County, and application for certificate of authorization for existing utility currently charging for service.

DOCKET NO. 020554-WS
ORDER NO. PSC-03-0508-PCO-WS
ISSUED: April 17, 2003

ORDER GRANTING FLORIDA WATER SERVICE CORPORATION'S
SECOND MOTION FOR CONTINUANCE AND ESTABLISHING
NEW CONTROLLING DATES

On June 21, 2002, Florida Water Services Corporation (FWSC or Utility) filed its petition for Determination of Exclusive Commission Jurisdiction Over Florida Water's Land and Facilities in Hernando County and Application for Original Certificates of Authorization for an Existing Utility Currently Charging for Service. Pursuant to Section 367.045, Florida Statutes, and Rule 25-30.030, Florida Administrative Code, FWSC provided notice, dated June 25, 2002, of its application to the governing body of the county or cities affected to the Office of Public Counsel (OPC), the Commission, and to such other persons and in such other manner as prescribed by Commission rule.

In response to FWSC's Notice of Application, on July 25, 2002, Hernando County filed its Notice of Protest of Petition by Florida Water Services Corporation, in which it set forth its arguments against the application filed by FWSC, and also requested a formal administrative hearing pursuant to the provisions of Chapter 120, Florida Statutes. Additionally, on July 15, 2002, Pasco County filed its formal notification of protest to FWSC's application, and in a subsequent letter dated August 5, 2002, requested a formal administrative hearing.

By Order No. PSC-02-1316-PCO-WS, issued September 20, 2002, a procedural schedule was established setting forth the controlling

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dates for this docket. On October 18, 2002, FWSC filed its First Motion for Continuance. Accordingly, by Order No. PSC-02-1492-PCO-WS, FWSC's Motion for Continuance was granted and new controlling dates were established for this docket.

On April 10, 2003, FWSC filed its Second Motion for Continuance of this docket. In support of its motion, FWSC states that in view of the potential sale of its assets, the development of testimony, conducting discovery and preparing for and participating in a final hearing may be unnecessary. Therefore, in order to avoid potential unnecessary expenditure of time and resources by the parties and the Commission, FWSC requests that the controlling dates be postponed and the final hearing dates continued for a period of at least three months. FWSC further states that it has conferred with counsel for Hernando County and Pasco County, and has been authorized to represent that these parties do not object to the relief requested in this Motion.

In consideration of the above, I find the utility's request reasonable and it shall therefore be granted. Accordingly, the following revised dates shall govern this case:

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| 1) Utility's direct testimony and exhibits | September 29, 2003 |
| 2) Intervenors' direct testimony and exhibits | October 27, 2003 |
| 3) Staff's direct testimony and exhibits, if any | November 3, 2003 |
| 4) Rebuttal testimony and exhibits | November 17, 2003 |
| 5) Prehearing Statements | November 24, 2003 |
| 6) Prehearing Conference | December 15, 2003 |
| 7) Hearing | January 13-15, 2004 |
| 8) Briefs | February 12, 2004 |

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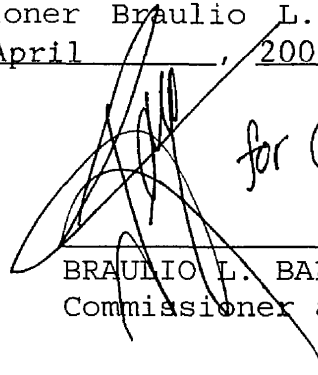
Unless authorized by the Prehearing Officer for good cause shown, all discovery shall be completed by January 6, 2004.

Based on the foregoing, it is

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that Florida Water Services Corporation's Motion for Continuance is granted. It is further

ORDERED that the controlling dates established in Order No. PSC-02-1316-PCO-WS are modified as set forth in the body of this Order. Order No. PSC-02-1316-PCO-WS is affirmed in all other respects.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 17th day of April, 2003.

 for Commissioner Braulio L. Baez

BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

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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

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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 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.