

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for amendment of
Certificates Nos. 340-W and 297-S to add
territory in Pasco County by Mad Hatter
Utility, Inc.

DOCKET NO. 021215-WS
ORDER NO. PSC-04-0698-PCO-WS
ISSUED: July 19, 2004

ORDER GRANTING SECOND MOTION FOR CONTINUANCE AND
ESTABLISHING NEW CONTROLLING DATES

By Order No. PSC-03-0192-PCO-WS, issued February 7, 2003, a procedural schedule was established setting forth the controlling dates for this docket. New controlling dates for this docket were established by Order No. PSC-03-0233-PCO-WS, issued February 19, 2003, and Order No. PSC-03-0841-PCO-WS, issued July 21, 2003. On March 4, 2004, a Motion for Continuance was filed by Mad Hatter Utility, Inc. (Mad Hatter or utility). The Motion was granted and new controlling dates were established by Order No. PSC-04-0299-PCO-WS, issued March 17, 2004.

On July 1, 2004, a Second Motion for Continuance (Motion) was filed by Mad Hatter Utility, Inc. (Mad Hatter or utility). In support of its Motion, Mad Hatter states that its request for an extension of its certificated territory necessarily involves prior orders, directives and mandates of the Federal Court in Docket No. 94-1473-CIV-T-25-E, which involved a dispute between the utility and Pasco County over the provision of water and wastewater service. Mad Hatter states that it filed with the Federal Court a further request for clarification of prior court orders which may impact Mad Hatter's position in this proceeding. Mad Hatter believes that the Commission will save time and resources by continuing the hearing in this proceeding for at least six months beyond the current hearing scheduled for September 22-23, 2004, pending the outcome of its motion for clarification in Federal Court. Mad Hatter states that counsel for Pasco County does not oppose this Motion.

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

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|----|-----------------------|-----------------|
| 1) | Rebuttal Testimony | March 7, 2005 |
| 2) | Prehearing Statements | April 4, 2005 |
| 3) | Prehearing Conference | April 18, 2005 |
| 4) | Hearing | May 10-11, 2005 |
| 5) | Briefs | June 8, 2005 |

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Unless authorized by the Prehearing Officer for good cause shown, all discovery shall be completed by May 3, 2005.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that the Second Motion for Continuance is granted. It is further

ORDERED that the controlling dates established in Order No. PSC-03-0192-PCO-WS, as modified by Order No. PSC-03-0233-PCO-WS, Order No. PSC-03-0841-PCO-WS, and Order No. PSC-04-0299-PCO-WS are modified as set forth in the body of this Order. Order No. PSC-03-0192-PCO-WS is affirmed in all other respects.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 19th day of July, 2004.



J. TERRY DEASON
Commissioner and Prehearing Officer

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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 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.