

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for certificates to provide water and wastewater service in Polk County by Four Points Utility Corporation.	DOCKET NO. 050595-WS ORDER NO. PSC-06-0950-PCO-WS ISSUED: November 13, 2006
--	---

SECOND ORDER REVISING ORDER ESTABLISHING PROCEDURE

By Order No. PSC-06-0709-PCO-EI (Order Establishing Procedure), issued August 22, 2006, a procedural schedule was established setting forth the controlling dates for this docket. By Order No. PSC-06-0817-PCO-WS (First Order Revising Order Establishing Procedure), issued October 4, 2006, certain controlling dates contained in the Order Establishing Procedure were revised to allow Four Points Utility Corporation (Four Points or utility) and Mr. James Brett (collectively, the parties) to focus their efforts on mediation in an effort to settle this matter.

On November 9, 2006, the parties filed a joint status report stating that they have participated in mediation and are continuing in their efforts to settle this matter. In order to allow them to focus their efforts on settlement, the parties request that the date for Four Points to file testimony and exhibits be continued from November 13, 2006 to November 20, 2006. The parties state that modification of this deadline will not affect any of the other previously established controlling dates.

I find the parties' request to be reasonable. In order to accommodate this request, Order Nos. PSC-06-0709-PCO-EI and PSC-06-0817-PCO-WS shall be revised to reflect that the utility's direct testimony and exhibits are due to be filed on November 20, 2006. All other dates established in Order No. PSC-06-0709-PCO-EI, as modified by PSC-06-0817-PCO-WS, shall remain the same.

Based on the foregoing, it is

ORDERED by Commissioner Isilio Arriaga, as Prehearing Officer, that the controlling date for Four Points Utility Corporation to file its direct testimony and exhibits is revised as set forth in the body of this Order. It is further

ORDERED that Order Nos. PSC-06-0709-PCO-EI and PSC-06-0817-PCO-WS are reaffirmed in all other respects.

DOCUMENT NUMBER-DATE

10416 NOV 13 06

FPSC-COMMISSION CLERK

By ORDER of Commissioner Isilio Arriaga, as Prehearing Officer, this 13th day of November, 2006.



ISILIO ARRIAGA
Commissioner and Prehearing Officer

(S E A L)

RG

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.