

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Objection to notice by TREASURE ) DOCKET NO. 881161-WU  
 COVE WATER COMPANY of intent to apply ) ORDER NO. 20665  
 for water certificate in Martin County. ) ISSUED: 1-26-89  
 )

ORDER ACCEPTING APPLICATION AS TIMELY FILED  
AND REVISING PREHEARING SCHEDULE

As required by statute and Commission rule, Treasure Cove Water Company (Treasure Cove) published and filed notice with the Commission of its intent to apply for a water utility certificate. Hydratech Utilities, Inc. (Hydratech), filed an objection to that notice. On October 17, 1988, Order No. 20176 was issued in this docket. That order established the procedure and schedule to be followed in preparation for hearing on Hydratech's objection.

Treasure Cove thereafter filed a motion seeking extensions of time of 30 days from various procedural dates, pending a possible negotiated settlement of the controversy. Treasure Cove also filed a motion seeking an additional extension of time in order to gather information needed for its application. No responses were filed by Hydratech. As it was, the settlement discussions were unsuccessful, and Treasure Cove filed its application on January 24, 1989.

The motions for extensions of time were well-founded. The possibility of settlement in lieu of the expense of a hearing on the objection was worth pursuing even at the price of delaying some of the preliminaries to that hearing. Similarly, Treasure Cove's motion for a slight additional delay in filing its application was justified by the absence from the state of a key individual and the desire to file a complete initial application. No objection was made by Hydratech and no prejudice has been done to either party or the Commission. Revision of the filing dates on the prehearing schedule will allow the established dates for the prehearing and hearing to be maintained without change.

Based on Treasure Cove's motions, its application is accepted as timely filed and the prehearing schedule is revised, as follows:

Preliminary List of Issues	February 3, 1989
Informal Preliminary Prehearing Conference	February 9, 1989
Treasure Cove's Prefiled Direct Testimony	February 21, 1989
Hydratech's Prefiled Direct Testimony	March 2, 1989
Rebuttal Testimony	March 13, 1989
Prehearing Statements	March 20, 1989

The time of the Informal Preliminary Prehearing Conference is left to the discretion of staff in order to best accommodate the parties. On the agreement of staff and the parties, it may

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be rescheduled or eliminated. The Prehearing date of March 29, 1989, and the Hearing date of April 14, 1989, remain the same. Order No. 20176, which established the prehearing procedure and schedule, is otherwise confirmed and remains in force.

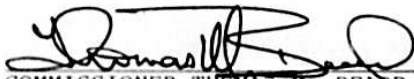
It is, therefore,

ORDERED by Commissioner Thomas M. Beard, as Prehearing Officer, that Treasure Cove's application is accepted as timely filed. It is further

ORDERED that Order No. 20176 is amended so that the prehearing schedule is as stated in the body of this order. It is further

ORDERED that Order No. 20176 is otherwise confirmed and remains in force.

By ORDER of Commissioner Thomas M. Beard, as Prehearing Officer, this 26th day of JANUARY, 1989.

  
COMMISSIONER THOMAS M. BEARD  
Prehearing Officer

( S E A L )

KJM