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SCANNED

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September 28, 1993

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Steve Tribble, Clerk
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0850

**RE: Application for Certificates to Provide Water and
Wastewater Service in Alachua County Under Grandfather
Rights by Turkey Creek, Inc. & Family Diner, Inc. d/b/a
Turkey Creek Utilities
Docket No. [REDACTED]**

Dear Mr. Tribble:

Enclosed please find the original and fifteen copies of the
Response In Opposition To Motion For Continuance to be filed on
behalf of Turkey Creek Master Owners Association in connection with
the above referenced matter.

Yours very truly,

Peter C. K. Enwall
PETER C.K. ENWALL *daj*

- ACK _____
- AFA _____ PCKE:daj
- APP _____ Enclosures
- CAF _____
- DMU _____
- CTR _____
- EAG _____
- LEG 1 (w/m)
- LIN 3
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

DOCUMENT NUMBER-DATE

10576 SEP 30 83

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Certificates to
Provide Water and Wastewater Service in
Alachua County Under Grandfather Rights
by TURKEY CREEK, INC. & FAMILY DINER,
INC. d/b/a TURKEY CREEK UTILITIES

DOCKET NO. 921098-WS
FILED: August 27, 1993

RESPONSE IN OPPOSITION TO MOTION FOR CONTINUANCE

The proposed Intervenor, TURKEY CREEK MASTER OWNERS ASSOCIATION, INC., by and through its undersigned attorney, responds to the TURKEY CREEK UTILITIES' Motion For Continuance, and opposes said continuance upon the following grounds:

1. The thrust of the UTILITIES' argument for a continuance is that many issues may become moot because of the sale. However, there are clearly some issues that will remain regardless of whether the sale occurs or not. The question whether the amounts charged since July, 1992, through the date of the sale are appropriate, and the amount of any refund to which the Owners are entitled, are issues which will not be resolved by the sale of the UTILITY.

2. These proceedings began in early January, 1993, and will not be resolved until after January 1, 1994, even assuming that the current case assignment schedule is followed. A continuance of the final hearing will only further delay a resolution of these issues. If some issues are rendered moot by the sale, then their mootness can be determined at the hearing and in any subsequent recommendation or order.

3. The Commissioners' economy of time will be preserved by a denial of the Motion For Continuance. One day has been set aside on the Commissioners' calendar. The Commissioners will either have to devote a day to at least the resolution of the refund issue at

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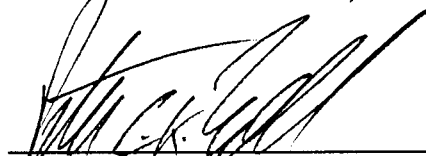
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a later time or will resolve all the pending matters at the hearing currently scheduled. It would take more commissioner and staff time to reschedule the hearing to a later date than to maintain the current schedule.

4. The Owners continue to be prejudiced by the collection of unreasonable rates by the UTILITY. This prejudice will be exacerbated by a continuance of the final hearing.

DATED this 28th day of September, 1993.

PETER C.K. ENWALL, P.A.



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Florida Bar Number: 161601
Attorney for Prospective Intervenor

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that a true copy of the foregoing has been provided by U.S. Mail,
on this 28th day of September, 1993, to the following persons:

JOHN L. WHARTON, ESQUIRE
Rose, Sundstrom & Bentley
2548 Blairstone Pines Drive
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and FAMILY DINER, INC., d/b/a
TURKEY CREEK UTILITIES

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