

LAW OFFICES

MARTIN, ADE, BIRCHFIELD & MICKLER, P.A.

ONE INDEPENDENT DRIVE - SUITE 3000
JACKSONVILLE, FLORIDA 32202

MAILING ADDRESS:
POST OFFICE BOX 59
JACKSONVILLE, FLORIDA 32201

TELEPHONE (904) 354-2050
TELECOPIER (904) 354-5842

July 14, 1997

JAMES L. ADE
LYNDA R. AYCOCK
W. O. BIRCHFIELD
TIMOTHY A. BURLEIGH
CHARLES L. CRANFORD
PHILLIP A. DELMONT
STEPHEN H. DURANT
T. WILLIAM GLOCKER
MICHAEL E. GOODREAD, JR.
STEPHEN D. HALKER
SHARON ROBERTS HENDERSON

BARBARA CHRISTIE JOHNSTON
WILHELMINA F. KIGHTLINGER
MYRA LOUGHMAN
RALPH H. MARTIN
ROBERT O. MICKLER
JOHN D. MILTON, JR.
DANIEL B. NUNN, JR.
SCOTT G. SCHILDBERG
MICHAEL D. WHALEN
GARY L. WILKINSON
L. PETER JOHNSON (1942-1988)

ORIGINAL
FILE COPY

**Federal Express and
Via Facsimile (904) 413-7118**

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

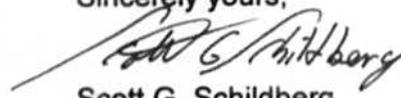
Re: Application for Certificates to Provide Water and Wastewater Service
In Clay County by Point Water and Sewer, Inc., Docket No. 961321-WS

Dear Ms. Bayo:

In connection with the above-referenced matter, enclosed please find an original and seven copies of Joint Motion for Continuance.

Please file the original and distribute the copies in accordance with your usual procedures. If you have any questions or comments, please do not hesitate to call me.

Sincerely yours,



Scott G. Schildberg

- ACK — SGS/msa
- AFA — Enclosures
- APP — cc: Mr. Mark J. Easterling
- CAF — Mr. Steven C. Glenn
- CMU — Douglas H. Reynolds, Esq.
- CTR — J. Michael Lindell, Esq.
- EAG — Rosanne G. Capeless
- EAG —
- LEG — 1
- LIN — 3
- OPC —
- RCH —
- SEC — 1
- WAS —
- OTH —

DOCUMENT NUMBER - DATE

07055 JUL 15 97

FPSC-RECORDS/REPORTING

97 JUL 15 10 15 AM '97
MARTIN, ADE, BIRCHFIELD & MICKLER, P.A.
JACKSONVILLE, FLORIDA 32202

ORIGINAL
FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Certificates)
to provide Water and Wastewater)
Service in Clay County by Point)
Water and Sewer, Inc.)
_____)

DOCKET NO. 961321-WS
DATE SUBMITTED FOR FILING:
July 14, 1997

JOINT EMERGENCY MOTION FOR CONTINUANCE

Pursuant to Rule 1.460, Florida Rules of Civil Procedure, and Rule 25-22.037, Florida Administrative Code ("FAC"), Point Water and Sewer, Inc. ("PWS"), and The Point Property Owners Association, Inc. ("the Association"), by and through the undersigned attorneys, hereby jointly move the Florida Public Service Commission ("Commission") to grant a continuance in this docket, and as grounds therefore, state as follows:

1. A hearing before the Commission on the application for an original certificate by PWS is scheduled for August 1, 1997.
2. The discovery for this docket is scheduled to be completed on or before July 23, 1997.
3. The parties are pursuing a negotiated settlement which would address the concerns of the respective parties, including, but not limited to, the method and manner of future service.
4. Both PWS and the Association state that it is in the best interest of all concerned for the Commission to delay the proceedings in this docket pending the results of negotiations. There will be no prejudice to any party.
5. The requested continuance in the proceedings may result in the resolution of this matter and avoid a tremendous expenditure

DOCUMENT NUMBER-DATE
07055 JUL 15 97
FPSC-RECORDS/REPORTING

of unnecessary time and expense for the Commission and the parties if they can resolve this matter amongst themselves.

6. Because of the need to complete discovery and conduct numerous depositions within the next nine days, which will result in significant costs and expenses, if this motion is not granted, PWS and the Association request that the prehearing officer rule on this motion as expeditiously as possible. The parties further agree that the time to conduct and file the adverse depositions of Frank Kasper and Lori Easterling would be extended for thirty (30) days through and including August 14, 1997.

7. WHEREFORE, PWS and the Association move the Commission to continue this matter for a period of no less than sixty (60) days, including continuing the date for the hearing, the date for adverse depositions and the date for the completion of discovery.

Dated this 14th day of July, 1997.

Respectfully submitted,

COX & REYNOLDS

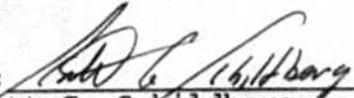
Douglas H. Reynolds
By: *by [Signature]*
Douglas H. Reynolds
Florida Bar No. 367435
4875 N. Federal Highway
10th Floor
Ft. Lauderdale, FL 33308
Telephone: (954)491-5220
Facsimile: (954)491-0702

Attorneys for the Point Water
and Sewer, Inc.

HAYES & LINDELL, P.A.

J. Michael Lindell
Florida Bar No. 0262226
Suite 620
233 E. Bay Street
Jacksonville, FL 32202
(904) 353-5000

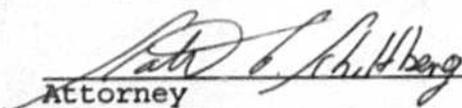
MARTIN, ADE, BIRCHFIELD &
MICKLER, P.A.

By: 
Scott G. Schildberg
Florida Bar No. 0613990
3000 Independent Squire
Jacksonville, FL 32202
Telephone: (904) 354-2050

Attorneys for The Point Property
Owners Association

Certificate of Service

I HEREBY CERTIFY that the original and seven copies of the Joint Emergency Motion for Continuance has been furnished by Federal Express and a copy by Facsimile, this 14th day of July, 1997, to Blanca Bayo, Director, Division of Records and Reporting, Florida Public Service Commission, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and a copy of the foregoing has been furnished to J. Michael Lindell, Esquire, Hayes & Lindell, P.A., 233 E. Bay Street, Suite 620, Jacksonville, Florida 32202; Rosanne G. Capeless, Staff Counsel, Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850; and Douglas H. Reynolds, Esquire, Cox & Reynolds, 4875 North Federal Highway, 10th Floor, Fort Lauderdale, Florida 33308, Attorneys for Point Water and Sewer, Inc., by Facsimile and U.S. Mail, this 14th day of July, 1997.


Attorney