

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Sun City Center Community Association, Inc. against Peoples Gas System for alleged improper billing.	DOCKET NO. 090083-GU ORDER NO. PSC-10-0098-PCO-GU ISSUED: February 22, 2010
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ORDER GRANTING REQUEST TO CANCEL HEARING AND
ALL CONTROLLING DATES PENDING COMMISSION
DECISION ON WITHDRAWAL OF COMPLAINT

On February 16, 2009, the Sun City Center Community Association, Inc. (SCCCA or Customer) filed its formal complaint in this docket. By Proposed Agency Action Order No. PSC-09-0661-PAA-GU (PAA Order), the Commission proposed to dispose of the formal complaint. However, SCCCA timely protested the PAA Order and the protest was set for a formal hearing. Order No. PSC-09-0853-PCO-GU set the controlling dates for the events in this proceeding. Stating that a settlement has been reached, the Customer filed its Revised Notice of Voluntary Withdrawal of Complaint on February 16, 2010, and requested that the hearing dates be canceled and the controlling dates be deleted.

Until this Commission can address the withdrawal of the complaint and to avoid any unnecessary expense of further preparation for a hearing, the request to cancel the hearing and delete the controlling dates is granted. Discovery and all events shall be suspended pending Commission consideration of the withdrawal of the complaint. The prehearing and hearing scheduled for May 5, 2010, and May 20, 2010, respectively, are canceled and will be rescheduled if needed.

Based on the foregoing, it is

ORDERED by Commissioner David E. Klement, as Prehearing Officer, that the request filed by Sun City Center Community Association, Inc. to cancel the hearing and delete the controlling dates is granted pending Commission consideration of the withdrawal of the complaint. It is further

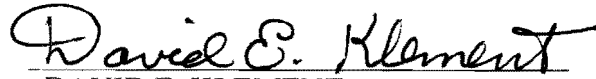
ORDERED that the prehearing conference and hearing scheduled for May 5, 2010, and May 20, 2010, are canceled.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner David E. Klement, as Prehearing Officer, this 22nd day of February, 2010.


DAVID E. KLEMENT
Commissioner and Prehearing Officer

(S E A L)

RRJ

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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.