

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for original certificates for proposed water and wastewater system and request for initial rates and charges in Martin and St. Lucie Counties by Bluefield Utilities, LLC.

DOCKET NO. 090459-WS  
ORDER NO. PSC-12-0219-PCO-WS  
ISSUED: April 25, 2012

ORDER GRANTING MOTION  
FOR CONTINUED ABATEMENT

BY THE COMMISSION:

Pursuant to Order No. PSC-11-0268-PCO-WS this matter has been held in abeyance so that the parties may continue to engage in settlement negotiations. That Order required Bluefield Utilities, LLC (Bluefield or Utility) to notify the Commission of the status of their negotiations and whether the matter should be rescheduled for hearing by no later than until July 18, 2011.

On April 20, 2012, Bluefield filed a Motion for Continued Abatement (Motion). Pending the final outcome of those negotiations, the Utility has stated that the only remaining protesting parties in this docket, Martin County and St. Lucie County, have agreed to an extension of the abatement, and that a continued abatement will allow the ongoing negotiations to proceed without the distraction simultaneous litigation often creates to such efforts. Further, the Utility alleged that continued abatement will afford the parties all of the benefits outlined above, and will not prejudice or adversely affect the Utility, the objecting parties, the public, or the Commission or its staff. Further, the Utility contends that abatement of this matter is in the public interest, promotes judicial economy, and will allow this application and the ultimate determination of its merits by the Commission to proceed in a more orderly and considered fashion.

Although Martin County and St. Lucie County have not stipulated to the contents of this Motion, they do agree that the requested continued abatement should be granted. The Utility therefore requests that the Commission extend the abatement of this proceeding, and direct that the parties advise the Commission, no later than July 27, 2012, as to the status of any negotiations between the parties and whether this matter should be rescheduled for hearing or whether a different course of action is appropriate.

In consideration of the above, the Motion for Continued Abatement shall be granted and this proceeding shall continue to be held in abeyance. Bluefield shall advise the Commission no later than July 27, 2012, as to the status of any negotiations and whether this matter should be rescheduled for hearing or whether a different course of action is appropriate.

Based on the foregoing, it is

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ORDER NO. PSC-12-0219-PCO-WS

DOCKET NO. 090459-WS

PAGE 2

ORDERED by Chairman Ronald A. Brisé, as Prehearing Officer, that the Motion for Continued Abatement to continue to hold this proceeding in abeyance is granted as set forth in the body of the Order. It is further

ORDERED that Bluefield Utilities, LLC shall notify the Commission of the status of their negotiations and whether the matter should be rescheduled for hearing by no later than July 27, 2012.

By ORDER of Chairman Ronald A. Brisé, as Prehearing Officer, this 25th day of April, 2012.



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RONALD A. BRISÉ  
Chairman and Prehearing Officer  
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CMK

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.