

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Robert D. Reynolds and Julianne C. Reynolds against Utility Board of the City of Key West, Florida d/b/a Keys Energy Services regarding extending commercial electrical transmission lines to each property owner of No Name Key, Florida.

DOCKET NO. 120054-EM  
ORDER NO. PSC-13-0152-PCO-EM  
ISSUED: April 10, 2013

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On March 20, 2013, Robert D. Reynolds and Julianne C. Reynolds (Reynolds) filed their Second Amended Complaint requesting, in part, that the Florida Public Service Commission (Commission) issue an order finding that Monroe County could not withhold issuing permits to allow those residents to connect to Keys Energy Services' (KES) transmission system located on No Name Key (paragraph c of the Prayer for Relief) and awarding attorney's fees and costs (paragraph e of the Prayer for Relief).

On April 1, 2013, Monroe County filed a Motion to Strike seeking to strike paragraphs c and e of the Prayer for Relief in the Second Amended Complaint on the basis that the Commission does not have the authority to award the relief requested.

Rule 28-106.204(1), F.A.C., requires that responses in opposition to motions be filed within 7 days of service of the written motion. Rule 28-106.204(4), F.A.C., further requires that all requests for an extension be filed prior to the expiration of the deadline sought to be extended. The filing deadline in this instance was April 8, 2013.

On April 8, 2013, the Reynolds timely filed an Unopposed Motion for Extension of Time to Respond to Monroe County's Motion to Strike stating that Monroe County has no objection to granting the Reynolds an additional ten days, through and including April 18, 2013, to respond to the County's motion.

Based on the foregoing, it is

ORDERED by Commission Eduardo E. Balbis, as Prehearing Officer, that the Reynolds' Unopposed Motion for Extension of Time to Respond to Monroe County's Motion to Strike is granted. The Reynolds shall have through and including April 18, 2013, to file a response to Monroe County's Motion to Strike.

DOCUMENT NUMBER DATE

01856 APR 10 2013

FPSC-COMMISSION CLERK

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this  
10th day of April, 2013.



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EDUARDO E. BALBIS  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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.