

Eric Fryson

From: Rhonda Dulgar <rhonda@gbwlegal.com>
Sent: Monday, June 03, 2013 1:39 PM
To: Filings@psc.state.fl.us; Caroline Klancke; Bart@bartonsmithpl.com
Cc: Shillinger-Bob@MonroeCounty-FL.Gov; Schef Wright
Subject: Electronic Filing - Docket 130086-SU
Attachments: 130086.MC.2ndMot4ExtOfTime.6-3-13.pdf

a. Person responsible for this electronic filing:

Robert Scheffel Wright
Gardner, Bist, Wiener, Wadsworth, Bowden,
Bush, Dee, LaVia & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308
schef@gbwlegal.com
(850) 385-0070

b. 130086-SU

In Re: Complaint of K W Resort Utilities Corp. against Monroe County, Florida for alleged entitlement to collect certain capacity reservation fees for excess capacity used.

c. Document being filed on behalf of the Monroe County, Florida.

d. There are a total of 4 pages.

e. The document attached for electronic filing is Monroe County's Second Unopposed Motion for Extension of Time to Respond to K W Resort Utilities Corporation's Complaint.
(see attached file: 130086.MC.2ndMot4ExtOfTime.6-3-13.pdf)

Thank you for your attention and assistance in this matter.

Rhonda Dulgar

Secretary to Jay LaVia & Schef Wright

Gardner, Bist, Wiener, Wadsworth, Bowden,
Bush, Dee, LaVia & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, Florida 32308
Phone: 850-385-0070
Fax: 850-385-5416
Email: rhonda@gbwlegal.com
<http://www.gbwlegal.com/>

GBW Gardner, Bist, Wiener, Wadsworth, Bowden,
Bush, Dee, LaVia & Wright, P.A. ATTORNEYS AT LAW

CONFIDENTIALITY NOTICE: This communication is intended only for the exclusive use of the intended recipient(s) and contains information which is legally privileged and confidential. Furthermore this communication is protected by the Electronic Communication Privacy Act, 18 U.S.C. §§ 2510-2521 and any form of distribution, copying, forwarding or use of it or the information contained in or attached to it is strictly prohibited and may be unlawful. This communication may not be reviewed, distributed, printed, displayed, or re-transmitted without the sender's written consent. ALL RIGHTS RESERVED

PROTECTED. If you have received this communication in error please return it to the sender and then delete the entire communication and destroy any copies. Thank you.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of K W Resort)
Utilities Corp. against Monroe)
County, Florida for alleged) Docket No. 130086-SU
Entitlement to collect certain)
Capacity reservation fees for) Filed: June 3, 2013
excess capacity used.)
_____)

MONROE COUNTY'S SECOND UNOPPOSED MOTION
FOR EXTENSION OF TIME TO RESPOND TO
K W RESORT UTILITIES CORPORATION'S COMPLAINT

Respondent, Monroe County (the "County"), by and through undersigned counsel and pursuant to Rule 28-106.204(1), Florida Administrative Code ("F.A.C."), hereby requests that the Commission grant the County an extension of time of 30 days up to and including July 8, 2013, to file responsive pleadings to K W Resort Utilities Corporation's ("KWRU") Complaint, and in support thereof states:

1. KWRU initiated this docket by filing its Complaint with the Commission on April 16, 2013. KWRU served the County with an electronic copy of the Complaint at 9:07 p.m. on April 22, 2013. Pursuant to Rule 28-106.204(2), F.A.C., the County had until May 22, 2013, to file pleadings responsive to KWRU's Complaint. On May 8, 2013, the County requested an extension of time to file pleadings responsive to KWRU's Complaint and by Order dated May 23, 2013, the Commission granted the County's request and extended the time to June 6, 2013. Accordingly, this second request for extension of time is timely.

DOCUMENT NUMBER-DATE

03037 JUN-3 2

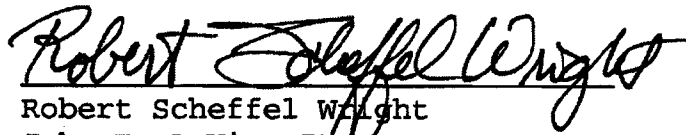
FPSC-COMMISSION CLERK

2. The County and KWRU have been actively pursuing settlement negotiations that have the potential to resolve all issues raised in KWRU's Complaint and thus avoid the need for the County to file pleadings responsive to the Complaint. The parties are making significant progress in the settlement negotiations and believe that additional time will aid in reaching an amicable resolution of the matters raised in this docket. The County requests an additional extension of time of 30 days (up to and including July 8, 2013) to file pleadings responsive to the Complaint, to allow the County and KWRU to continue to focus on the settlement negotiations.

3. Counsel for the County has conferred with counsel for KWRU (who is currently out of the country) and counsel for KWRU has represented that KWRU does not oppose the granting of the extension of time requested in this motion.

WHEREFORE, Monroe County respectfully requests that the Commission enter an order granting the County an additional extension of 30 days (up to and including July 8, 2013) to file pleadings responsive to KWRU's Complaint.

Respectfully submitted this 3rd day of June, 2013.



Robert Scheffel Wright
John T. LaVia, III
Gardner, Bist, Wiener, Wadsworth,
Bowden, Bush, Dee, LaVia & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, Florida 32308
Telephone (850) 385-0070
Facsimile (850) 385-5416

and

Robert B. Shillinger, County Attorney
Monroe County Attorney's Office
1111 12th Street, Suite 408
Key West, Florida 33040
Telephone (305) 292-3470
Telecopier (305) 292-3516

Attorneys for Monroe County, Florida

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following, by electronic mail, on June 3, 2013:

Caroline Klancke
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
CKLANCKE@PSC.STATE.FL.US

Barton W. Smith
Barton Smith, P.L.
624 Whitehead Street
Key West, Florida 33040
Bart@bartonsmithpl.com


Attorney