

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment of) DOCKET NO. 900802-SU
 Certificate No. 187-S to delete and)
 extend territory in Lee County by)
 SANIBEL SEWER SYSTEM PARTNERS, LTD.)
 _____)

In re: Application for amendment of) DOCKET NO. 910476-SU
 Certificate No. 187-S in Lee County) ORDER NO. 24565
 by Sanibel sewer System Partners, Ltd.) ISSUED: 5/21/91
 _____)

ORDER GRANTING CONTINUANCE

BY THE COMMISSION:

On May 10, 1991 the parties, Sanibel Sewer System Partners, Ltd. (Utility) and the City of Sanibel (City), filed a Joint Stipulation for Continuance seeking a ninety day continuance in these dockets, which are scheduled for hearing on May 29, 1991. On May 8, 1991, the City and the Utility entered into a purchase and sale agreement for the wastewater system. One precondition to finalizing their contract requires the parties to make a joint request for a continuance of the proceedings in these dockets for ninety days. A continuance will allow the City time to finalize the purchase pursuant to Section 180.301, Florida Statutes, which requires a public hearing prior to the purchase or sale of a utility by a municipality. A public hearing pursuant to Chapter 180 has been scheduled for June 3, 1991. The closing date set by the contract is June 30, 1991. Therefore, the parties are seeking a continuance of the proceedings in this docket.

We find the request of the parties to be reasonable in the circumstances. There are no other interested parties who will be prejudiced by a continuance. Further, sale of the wastewater system will resolve all issues now pending in these dockets.

In light of our granting a continuance, we find it necessary to modify the Order Establishing Procedure, Order No. 24001, issued January 17, 1991, as follows:

REVISED CONTROLLING DATES

- | | |
|--|-----------------|
| 1) Prehearing Conference | August 15, 1991 |
| 2) Hearing at a time and location to be determined | August 29, 1991 |

DOCUMENT NUMBER-DATE

05089 MAY 21 1991

FSC-RECORDS/REPORTING

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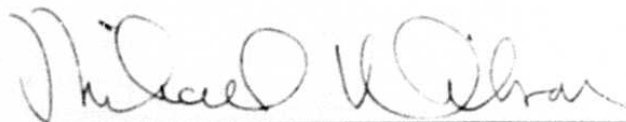
Based upon the foregoing, it is

ORDERED by Commissioner Michael Mck. Wilson, as Prehearing Officer, that the Joint Stipulation for Continuance is hereby granted. It is further

ORDERED that the Order Establishing Procedure, Order No. 24001, is hereby modified to reflect the changes as described in the body of this order. It is further

ORDERED that the provisions of Order No. 24001 govern this proceeding, except as modified above and by Order No. 24399, issued April 22, 1991.

By ORDER of Commissioner Michael Mck. Wilson, as Prehearing Officer, this 21st day of MAY, 1991.



MICHAEL MCK. WILSON, Commissioner
and Prehearing Officer

(S E A L)

MMW/CB

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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 sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.