

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to resolve ) DOCKET NO. 920214-EU  
territorial dispute between ) ORDER NO. PSC-94-0195-FOF-EU  
Talquin Electric Cooperative, ) ISSUED: February 15, 1994  
Inc. and Town of Havana. )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK  
LUIS J. LAUREDO

ORDER GRANTING MOTION FOR EXTENSION OF TIME

BY THE COMMISSION:

Order No. PSC-92-1474-FOF-EU, issued December 21, 1992, resolved the territorial dispute between Talquin Electric Cooperative, Inc. (Talquin) and the Town of Havana (Havana) concerning a proposed middle school to be constructed in Gadsden County. Although the territorial dispute was resolved, the Commission recognized the potential for future conflict between the parties. To that end, the parties were directed to "meet and discuss any areas where other disputes may occur. After the parties have identified any other areas of potential conflict, they should pursue resolution of any conflicts which may arise in these areas."

As ordered by the Commission, the parties filed a progress report on June 22, 1993, which stated that the parties were currently engaged in a series of meetings to work toward developing a territorial agreement. On November 17, 1993, the parties met with Commission staff to discuss the progress made thus far. Talquin filed a status report on December 17, 1993, and Havana filed a status report and motion for extension of time on December 21, 1993. In its status report and motion for extension of time, Havana asked for at least twelve months to comply with Order No. PSC-92-1474-FOF-EU because of pressing concerns presently before Havana and because of the town's limited resources. Talquin filed no response to Havana's motion for extension of time, although Talquin did state in its status report the cooperative is "willing and able to continue discussions with the Town and to work toward a territorial agreement without any further delay." Both parties state there are currently no areas of conflict between them and foresee no problems in the immediate future.

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Because of Havana's limited resources and because the parties state they foresee no problems in the immediate future, we find Havana's motion for extension of time is granted, and the parties shall have until December 30, 1994, to comply with Order No. PSC-93-1474-FOF-EU. In addition, the parties shall file a progress report by June 30, 1994, which shall state all actions taken towards compliance with Order No. PSC-93-1474-FOF-EU, from November 17, 1993, until June 30, 1994. If the parties have taken little or no action by June 30, 1994, the matter shall be taken back before the Commission for further direction.

It is, therefore,

ORDERED by the Florida Public Service Commission that the Town of Havana's motion for extension of time is granted as discussed above. It is further

ORDERED Talquin Electric Cooperative, Inc. and the Town of Havana shall file a progress report by June 30, 1994. It is further

ORDERED Talquin Electric Cooperative, Inc. and the Town of Havana shall have until December 30, 1994, to comply with Order No. PSC-93-1474-FOF-EU.

By ORDER of the Florida Public Service Commission, this 15th day of February, 1994.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

MAH:bmi

by: Kay Jeyan  
Chief, Bureau of Records

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 the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, 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 sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.