

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 940303-WS
amendment of Certificates Nos.) ORDER NO. PSC-97-0431-PCO-WS
533-W and 464-S to add territory) ISSUED: April 17, 1997
in Lake and Orange Counties by)
Southlake Utilities, Inc.)
_____)

ORDER GRANTING MOTION FOR CONTINUANCE

By Order No. PSC-96-0066-FOF-WS, issued January 16, 1996, this matter was set for hearing, and by Order No. PSC-96-0238-PCO-WS, issued February 19, 1996, the procedures and dates for key activities were established. Since that time, this matter has been continued through April 2, 1997 by Orders Nos. PSC-96-0563-PCO-WS, PSC-96-0687-PCO-WS, and PSC-97-0006-PCO-WS, issued April 30, 1996, May 23, 1996, and January 2, 1997, respectively, to allow the parties additional time to reach a settlement.

On April 4, 1997, Orange County filed a Motion for Continuance for a period of 180 days. The County states that the parties are continuing their negotiations, completion of which could involve approvals from the Department of Community Affairs through their plan amendment process. The County also states that it has contacted counsel for Southlake Utilities, Inc., and said counsel has no objections to the motion, and is in agreement that a continuance would serve the best interests of all involved.

After reviewing the motion, I find it appropriate to grant the County's request for a period of 180 days to allow the parties additional time to reach an agreement. However, no further continuances will be granted in this case for the purpose of allowing the parties to negotiate a settlement. Administrative expediency requires that we move forward with this case. Therefore, at the end of the 180 days, if no settlement has been reached between the parties, the parties must proceed with the hearing process, unless, of course the County withdraws its objection, or the utility withdraws its application. A subsequent order will be issued establishing the dates for key activities in the case.

Based on the foregoing, it is

ORDERED by Commissioner Joe Garcia, as Prehearing Officer, that Orange County's Motion for Continuance is hereby granted as set forth in the body of this Order.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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By ORDER of Commissioner Joe Garcia, as Prehearing Officer,
this 17th day of April, 1997.



JOE GARCIA, Commissioner
Prehearing Officer

(S E A L)

DCW

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 25-22.0376, 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 wastewater 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.