

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for rate increase and for increase in service availability charges in Lake County by Lake Utility Services, Inc.

DOCKET NO. 960444-WU
ORDER NO. PSC-97-1092-PCO-WU
ISSUED: September 19, 1997

ORDER GRANTING MOTION FOR CONTINUANCE

On May 30, 1997, Lake Utility Services, Inc. (LUSI) filed a Petition on Proposed Agency Action, in which it protested Proposed Agency Action Order No. PSC-97-0531-FOF-WU. The following critical dates are pending in this docket up through the hearing.

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|------------------------------------|---------------------|
| 1) Rebuttal testimony and exhibits | September 23, 1997 |
| 2) Prehearing Conference | September 30, 1997 |
| 3) Hearing | October 16-17, 1997 |

On September 17, 1997, LUSI filed an offer of settlement and a motion for continuance, in which it requests that the aforementioned pending dates be continued pending the Commission's review of its offer of settlement.

In support of its motion, LUSI states that it requires additional time to discuss its offer of settlement with the Office of Public Counsel (OPC). LUSI states that OPC has indicated that it requires additional time to review LUSI's settlement proposal and to communicate with its clients. LUSI further states that its offer of settlement has been filed to avoid the time and expense of further litigation, which will be incurred if this continuance is not granted. Finally, LUSI states that it is willing to waive the applicable statutory time frames in order to accommodate the revised hearing schedule which might result from its requested continuance.

LUSI has discussed its motion for continuance with OPC, and both parties have indicated to staff counsel that OPC does not oppose LUSI's motion. The parties have further indicated their

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willingness to meet informally to discuss the settlement within the next two weeks.

Based on the foregoing, it is appropriate to grant LUSI's motion for continuance for a period of sixty days from the issuance date of this order. At the end of the sixty days if a settlement is not reached, or in the event a settlement is presented to the Commission and denied, whichever occurs earliest, revised dates shall be set for the remaining critical dates in this docket. Therefore, Lake Utility Services, Inc.'s motion for continuance is hereby granted.

Based on the foregoing, it is

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that Lake Utility Services, Inc.'s motion for continuance is hereby affirmed, as set forth in the body of this Order.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 19th Day of September, 1997.



SUSAN F. CLARK
Commissioner and Prehearing Officer

(S E A L)

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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

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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, 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.