

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for
certificates to operate a water
and wastewater utility in
Charlotte and DeSoto Counties by
Lake Suzy Utilities, Inc.

DOCKET NO. 970657-WS

In re: Application for
amendment of Certificates Nos.
570-W and 496-S to add territory
in Charlotte County by Florida
Water Services Corporation.

DOCKET NO. 980261-WS ✓
ORDER NO. PSC-99-0078-PCO-WS
ISSUED: January 11, 1999

ORDER GRANTING JOINT MOTION FOR CONTINUANCE

By Order No. PSC-98-1115-PCO-WS, issued August 20, 1998, this matter was scheduled for a January 13-14, 1999 formal hearing in Charlotte County, Florida. On January 11, 1999, Florida Water Services Corporation (FWSC), in conjunction with Lake Suzy Utilities, Inc. (Lake Suzy), filed a Joint Motion for Continuance (Motion). The Motion states that the movants are engaging in good faith settlement discussions, and at this time appear to have reached agreement in principle on major points. The movants state that if the matter can be resolved without the need for a hearing, the Commission and all parties involved will save valuable time and expense. The movants therefore request that the hearing be canceled, and that the movants be required to report to the Commission within ninety days after the Motion was filed as to whether the hearing will need to be rescheduled, additional time is needed, or some other action may be appropriate. The Motion also states that counsels for Charlotte County and Haus Development, Inc. have been informed of the Motion and have no objection to it.

Upon review, I find it appropriate to grant the Joint Motion for Continuance for a period of ninety days from the date the Motion was filed to allow the parties additional time to reach an agreement. The parties shall report to the Commission within the ninety-day period as to the status of the settlement negotiations. In the event a settlement among the parties is not reached, new hearing and procedural dates will be established.

DOCUMENT NUMBER-DATE

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FPC-RECORDS/REPORTING

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Based on the foregoing, it is

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that Florida Water Services Corporation and Lake Suzy Utilities, Inc.'s Joint Motion for Continuance is hereby granted as set forth in the body of this Order.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 11th day of January, 1999.



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 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)

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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.