

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of limited proceeding to restructure wastewater rates for Florida Water Service Corporation's Tropical Isles service area in St. Lucie County.

DOCKET NO. 970409-SU  
ORDER NO. PSC-00-2135-PCO-SU  
ISSUED: November 8, 2000

SECOND ORDER GRANTING JOINT  
MOTION FOR ABATEMENT AND CONTINUANCE

By Order No. PSC-00-2034-PCO-SU, issued June 12, 2000, controlling dates and hearing dates were established in this docket. On July 3, 2000, Order No. PSC-00-1197-PCO-SU was issued, granting the Motion for Abatement and Continuance filed by Florida Water Services Corporation (Florida Water or utility) and the Office of Public Counsel (OPC). That Order required the parties to file a progress report by July 31, 2000, concerning the status of the sale of the utility. The progress report was filed on July 31, 2000, and the parties stated they continue to work on and move toward resolution of the specific terms of the purchase agreement.

On October 26, 2000, Florida Water and OPC, filed their Second Joint Motion for Abatement and Continuance (Second Joint Motion). In the Second Joint Motion, Florida Water and OPC request a full abatement and continuance of all controlling dates, including the hearing dates for a period of ninety days. Florida Water, OPC, and certain representatives of the Tropical Isles customers have been meeting over the past several months to reach an agreement on the sale of Florida Water's facilities to an exempt entity comprised of/controlled by the Tropical Isles customers. Therefore, Florida Water and OPC maintain that the time and resources of the parties, the Commission and our staff, would be conserved by the abatement and continuance of this proceeding pending the disposition and closure of the sale of the Tropical Isles facilities.

In consideration of the foregoing, the Second Joint Motion shall be granted. All controlling dates, including the hearing dates upon approval of the Chairman's Office, shall be held in abeyance for a period of 90 days, from the issuance date of this Order.

DOCUMENT NUMBER-DATE

14408 NOV-88

FPSC-RECORDS/REPORTING

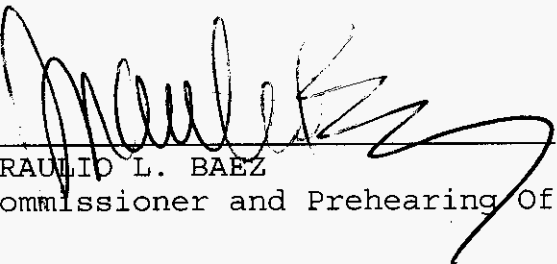
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Based on the foregoing, it is

ORDERED by Commissioner Braulio Baez, as Prehearing Officer, that the Second Joint Motion for Abatement and Continuance filed by Florida Water Services Corporation and the Office of Public Counsel is granted. It is further

ORDERED that all controlling dates are held in abeyance for a period of 90 days from the issuance date of this Order.

By ORDER of Commissioner Braulio L. Baez as Prehearing Officer, this 8th day of November, 2000.

  
BRAULIO L. BAEZ  
Commissioner and Prehearing Officer

( S E A L )

JKF

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) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2)

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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.