

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into  
ratemaking considerations of  
gain on sale from sale of  
facilities of Florida Water  
Services Corporation to Orange  
County.

DOCKET NO. 980744-WS  
ORDER NO. PSC-00-2379-PCO-WS  
ISSUED: December 11, 2000

ORDER GRANTING MOTION FOR CONTINUANCE AND SUSPENDING  
CONTROLLING DATES FOR FILING TESTIMONY AND EXHIBITS,  
PREHEARING STATEMENTS, PREHEARING, HEARING AND BRIEFS

By Order No. PSC-00-1170-PCO-WS, issued June 27, 2000, a procedural schedule was established setting forth the controlling dates for this docket. By Order No. PSC-00-1602-PCO-WS, issued September 7, 2000, Florida Water Services Corporation's (FWSC or utility) motion for extension of time was granted and new filing dates were established for the filing of prefiled testimony and exhibits and prehearing statements. The Commission's calendar required subsequent revisions to accommodate other scheduling requirements; accordingly, the controlling dates for this docket were revised by Order No. PSC-00-1752-PCO-WS, issued September 26, 2000. By Order No. PSC-00-2141-PCO-WS, issued November 9, 2000, FWSC's motion for an extension of time for filing prefiled testimony and exhibits was granted. FWSC's testimony was timely filed on November 20, 2000.

On November 29, 2000, FWSC filed a motion for continuance and rescheduling controlling dates. In its motion, FWSC notes that its counsel is scheduled for final hearing in five separate matters before this Commission, all within a month's time of the hearing currently scheduled in this docket. In view of this schedule, FWSC maintains that good cause exists to continue the final hearing in this matter for a period of approximately ninety days. Staff has no objection to FWSC's request. Also, FWSC represents in its motion that OPC does not object to the request, provided that the remaining controlling dates in this proceeding are correspondingly extended and rescheduled commensurate with the new final hearing dates.

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Because the requested extension of time appears to be reasonable and is not opposed by any party, the request is hereby granted. Accordingly, the existing controlling, prehearing and hearing dates are suspended in this matter, and a separate order will be issued establishing new controlling dates, upon further review of the Commission calendar.

This Order is issued pursuant to the authority granted by Rule 28-106.211, Florida Administrative Code, which provides that the presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case.

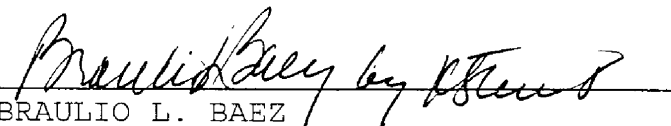
Based on the foregoing, it is

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that Florida Water Service Corporation's motion for continuance and rescheduling of controlling dates is hereby granted. It is further

ORDERED that the existing controlling, prehearing and hearing dates are suspended in this matter, and a separate order will be issued establishing new controlling dates, upon further review of the Commission calendar. It is further

ORDERED that Order No. PSC-00-1170-PCO-WS is affirmed in all other respects.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 11th day of December, 2000.

  
BRAULIO L. BAEZ  
Commissioner and Prehearing Officer

( S E A L )  
JSB

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) 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.