

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment
of Certificate No. 361-S to
extend wastewater service area
in Highlands County by Highlands
Utilities Corporation.

DOCKET NO. 001660-SU
ORDER NO. PSC-02-0566-PCO-SU
ISSUED: April 25, 2002

ORDER GRANTING MOTION FOR ABATEMENT
AND FIRST ORDER REVISING CONTROLLING DATES

On April 18, 2002, Highlands Utilities Corporation (Highlands) filed its Motion to Abate. In support of its motion, Highlands states that it and the Town of Lake Placid (Town) have reached an agreement on who should provide wastewater service to certain areas in Highlands County. However, the agreement must be approved by the Town Council which cannot take up the matter until its May 6, 2002, meeting.

Wherefore, Highlands requests that both the time for filing its testimony, now due on April 19, 2002, and its responses to our staff's discovery be abated to give the Town Council time to approve the tentative agreement. If the Town Council does not approve the agreement, Highlands requests that it be given until May 13, 2002, to file its testimony, and until May 17, 2002, to respond to our staff's discovery. Highlands states that the attorney for the Town has consented to the granting of this motion. If the Town Council does approve the agreement, then Highlands states that there would be no need to file testimony or respond to our staff's discovery.

In consideration of the above, Highlands' Motion to Abate shall be granted. If the Town Council does not approve the agreement, the controlling date for Highlands to prefile its testimony shall be May 13, 2002, and the date to respond to our staff's discovery shall be May 17, 2002. The controlling dates for the prefiling of testimony by the Town and our staff shall remain unchanged. Also, if the Town does approve the agreement, then Highlands shall immediately notify the Commission and request that the hearing currently scheduled for August 27-28, 2002, be cancelled.

DOCUMENT NUMBER-DATE

04549 APR 25 02

FPSC-COMMISSION CLERK

ORDER NO. PSC-02-0566-PCO-SU
DOCKET NO. 001660-SU
PAGE 2

Based on the foregoing, it is

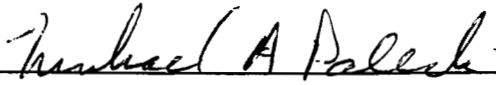
ORDERED by Commissioner Michael A. Palecki, as Prehearing Officer, that the Motion to Abate filed by Highlands Utilities Corporation is granted as set forth in the body of this Order. It is further

ORDERED that, in the event the Town Council does not approve the agreement on May 6, 2002, the controlling date for Highlands Utilities Corporation to prefile its testimony shall be May 13, 2002, and the date to respond to our staff's discovery shall be May 17, 2002. It is further

ORDERED that all other controlling dates shall remain the same. It is further

ORDERED that if the Town Council does approve the agreement, then Highlands Utilities Corporation shall immediately notify this Commission and request that the hearing currently scheduled for August 27-28, 2002, be cancelled.

By ORDER of Commissioner Michael A. Palecki, as Prehearing Officer, this 25th day of April, 2002.



MICHAEL A. PALECKI
Commissioner and Prehearing Officer

(S E A L)

RRJ

ORDER NO. PSC-02-0566-PCO-SU

DOCKET NO. 001660-SU

PAGE 3

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 the Commission Clerk and Administrative Services, 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.