

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-02-1696-PCO-WS
ISSUED: December 5, 2002

ORDER GRANTING JOINT MOTION FOR CONTINUANCE AND
ESTABLISHING NEW CONTROLLING DATES FOR
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. New controlling dates for this docket were most recently established by Order No. PSC-02-0768-PCO-WS, issued June 7, 2002.

On November 15, 2002, a Joint Motion for Continuance (Motion) was filed by Florida Water Services Corporation (FWSC or utility) and the Office of Public Counsel (OPC). In support of their Motion, the parties state that FWSC has entered into an agreement for the sale of its Florida water and wastewater assets to the Florida Water Services Authority. That agreement is now the subject of a Commission investigation in Docket No. 021066-WS. It is the belief of both FWSC and OPC that the Commission should not unnecessarily expend time and resources on this matter, including a potential appeal, in light of the sale and pending the outcome of the Commission's investigation in Docket No. 021066-WS. FWSC and OPC therefore request that the controlling dates in this docket be continued for at least six months.

Based on the foregoing, the parties' joint request is reasonable and is hereby granted. Therefore, the following revised dates shall govern this case:

- | | |
|--------------------------|-------------------|
| 1) Prehearing Conference | July 21, 2003 |
| 2) Hearing | August 7, 2003 |
| 3) Briefs | September 4, 2003 |

DOCUMENT NUMBER DATE

13269 DEC-5 02

FPSC-COMMISSION CLERK

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Unless authorized by the Prehearing Officer for good cause shown, all discovery shall be completed by July 31, 2003.

Based on the foregoing, it is

ORDERED by Commissioner Michael A. Palecki, as Prehearing Officer, that Florida Water Services Corporation and the Office of Public Counsel's Joint Motion for Continuance is granted. It is further

ORDERED that the controlling dates for completion of discovery, prehearing, hearing, and briefs established in Order No. PSC-00-1170-PCO-WS are modified as set forth in the body of this Order. Order No. PSC-00-1170-PCO-WS is affirmed in all other respects.

By ORDER of Commissioner Michael A. Palecki, as Prehearing Officer, this 5th day of December, 2002.



MICHAEL A. PALECKI
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

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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.