

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by City of Parker for declaratory statement concerning City's application of its Comprehensive Plan, Land Development Regulations, and City Codes and Ordinances to Gulf Power Company's proposed aerial power transmission line planned to travel from private property located within the City, crossing the shoreline of the City, and running across St. Andrew Bay.

DOCKET NO. 030159-EU
ORDER NO. PSC-03-0461-PCO-EU
ISSUED: April 2, 2003

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On February 11, 2003, the City of Parker filed a Petition for Declaratory Statement. On March 10, 2003, Gulf Power Company filed:

- i) a Petition to Intervene; and,
- ii) a Motion to Dismiss, or in the Alternative, Response in Opposition to City of Parker's Petition for Declaratory Statement ("Motion to Dismiss and Response in Opposition").

By letter dated March 12, 2003, the City stated that it did not oppose Gulf's intervention, and the Petition to Intervene was granted in Order No. PSC-03-0371-PCO-EU.

On March 17, 2003, the City filed a Motion for Extension of Time to respond to Gulf's Motion to Dismiss and Response in Opposition to City of Parker's Petition for Declaratory Statement. The City asked for three additional days to respond. Gulf did not file an objection to that Motion within the time limits established in Rule 28-106.204, Florida Administrative Code. In accordance with its requested time extension, the City filed its Reply to Gulf Power Company's Motion to Dismiss on March 20, 2003.

There is no opposition to the City's Motion for Extension of Time, and it does not appear that the parties will be harmed by granting the Motion. The Motion is therefore granted.

Based on the foregoing, it is

ORDERED by Commissioner Charles M. Davidson, as Prehearing Officer, that the Motion for Extension of Time filed by the City of Parker shall be granted.

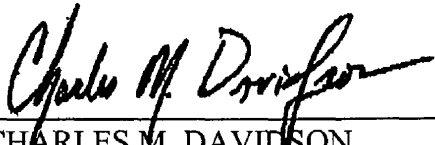
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ORDER NO. PSC-03-0461-PCO-EU
DOCKET NO. 030159-EU
PAGE 2

By ORDER of Commissioner Davidson, as Prehearing Officer, this 2nd Day of April, 2003.



CHARLES M. DAVIDSON,
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) 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.