

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for
certificate to provide water
service in Volusia and Brevard
Counties by Farmton Water
Resources, LLC.

DOCKET NO. 021256-WU
ORDER NO. PSC-03-1038-PCO-WU
ISSUED: September 18, 2003

SECOND ORDER ESTABLISHING PROCEDURE SETTING
NEW CONTROLLING DATES

On December 20, 2002, Farmton Water Resources, LLC (Farmton) filed an Application for Certificate to Provide Water Service in Volusia and Brevard Counties. On January 17, 2003, Volusia County and Brevard County each timely filed an objection to Farmton's Application. On January 21, 2003, the City of Edgewater and the City of New Smyrna Beach each timely filed an objection. On January 23, 2003, the City of Titusville timely filed an objection. As a result, this matter was originally set for an administrative hearing on February 18-20, 2004. Due to scheduling conflicts, the administrative hearing was subsequently rescheduled for June 22-24, 2004.

By Order No. PSC-03-0370-PCO-WU, issued March 18, 2003, a procedural schedule was established setting forth the controlling dates for this docket. Due to the rescheduling of the administrative hearing, this Order sets forth new controlling dates. The following revised dates shall now govern this case.

1)	Staff Testimony	March 12, 2004
2)	Rebuttal testimony and exhibits	April 2, 2004
3)	Prehearing Statements	April 30, 2004
4)	Prehearing Conference	May 17, 2004
5)	Discovery Cutoff	June 15, 2004
6)	Hearing	June 22-24, 2004
7)	Briefs	July 22, 2004

DOCUMENT NUMBER-DATE

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ORDER NO. PSC-03-1038-PCO-WU
DOCKET NO. 021256-WU
PAGE 2

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason as Prehearing Officer, that the controlling dates established in Order No. PSC-03-0370-PCO-WU are modified as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-03-0370-PCO-WU is reaffirmed in all other respects.

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 18th day of September, 2003.



J. TERRY DEASON
Commissioner and Prehearing Officer

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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.

ORDER NO. PSC-03-1038-PCO-WU
DOCKET NO. 021256-WU
PAGE 3

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; or (2) 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.