

Matilda Sanders

0085-PCD

From: Janice Banka
Sent: Monday, January 26, 2004 10:28 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 1/26/2004 10:27:00 AM
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RECEIVED-PSC
04 JAN 26 PM 2:02
COMMISSION
CLERK
1:32 pm

Order Granting Motion for Extension of Time to File Rebuttal Testimony and Third Order Establishing Procedure.

THIS ORDER IS IN WORD PERFECT.

Number of pages in order - 3.

Thanks "J"

4/2 + 2 Clrks
(Brevard + Volusia)

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-04-0085-PCO-WU
ISSUED: January 26, 2004

ORDER GRANTING MOTION FOR EXTENSION OF TIME TO FILE REBUTTAL
TESTIMONY AND THIRD ORDER ESTABLISHING PROCEDURE

Order No. PSC-03-0370-PCO-WU, issued March 18, 2003, modified by Order No. PSC-03-1038-PCO-WU, issued September 18, 2003, established the procedures and controlling dates which govern this docket. On January 13, 2004, Farmton Water Resources, LLC (Farmton) filed its Motion for Extension of Time to File Rebuttal Testimony (Motion), seeking an extension of the April 2, 2004, deadline for filing its rebuttal testimony in this docket. There has been no response filed in opposition to this Motion.

In support of its Motion, Farmton states that extending the due date for its rebuttal testimony to April 16, 2004 will not disrupt the present schedule in this case, the parties preparation, or prejudice either the staff, the parties or the public in any way. According to Farmton, the extension would allow it to present rebuttal testimony which more thoroughly and succinctly addresses not only the issues in this case and the filings of the other parties but also the testimony and evidence filed by staff on March 12, 2004.

Based on the foregoing, Farmton's request is reasonable and is hereby granted. Therefore, the following revised date shall govern this case:

Rebuttal Testimony and Exhibits	April 16, 2004
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Order No. PSC-03-0370-PCO-WU, as modified by Order No. PSC-03-1038-PCO-WU, is affirmed in all other respects.

DOCUMENT NUMBER-DATE

01124 JAN 26 3

FPSC-COMMISSION CLERK

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Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that the controlling date for filing rebuttal testimony established in Order No. PSC-03-0370-PCO-WU, as modified by Order No. PSC-03-1038-PCO-WU, is modified as set forth in the body of this Order. Order No. PSC-03-0370-PCO-WU, as modified by Order PSC-03-1038-PCO-WU, is affirmed in all other respects.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 26th day of January, 2004.

A handwritten signature in black ink, appearing to read "J. Terry Deason", is written over a horizontal line.

J. TERRY DEASON
Commissioner and Prehearing Officer

(S E A L)

JAR

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.

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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.