

BEFORE THE 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-04-0334-PCO-WU  
ISSUED: March 30, 2004

FOURTH 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. Volusia County, Brevard County, the City of Titusville and the City of New Smyrna Beach have objected to the application. Due to scheduling conflicts, the service hearing on this matter is being rescheduled to May 13, 2004, to be held separately from the technical hearing. The technical portion of the administrative hearing is scheduled for June 22-24, 2004, in Tallahassee, Florida.

By Order No. PSC-03-0370-PCO-WU, issued March 18, 2003, as revised by Order No. PSC-03-1038-PCO-WU, issued September 18, 2003, and Order No. PSC-04-0085-PCO-WU, issued January 26, 2004, a procedural schedule was established setting forth the controlling dates for this docket. Due to the rescheduling of the service hearing, this Order sets forth new controlling dates. The following revised dates shall now govern this case.

1)	Prehearing Statements	May 7, 2004
2)	Service Hearing (New Smyrna Beach)	May 13, 2004

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, as revised by Order No. PSC-03-1038-PCO-WU and Order No. PSC-04-0085-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, as revised by Order No. PSC-03-1038-PCO-WU and Order No. PSC-04-0085-PCO-WU, is reaffirmed in all other respects.

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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 30<sup>th</sup> day of March, 2004.

  
J. TERRY DEASON  
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; 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.