

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Investigation into ratemaking considerations of gain on sale from sale of facilities Florida Water Services Corporation to Orange County.	DOCKET NO. 980744-WS ORDER NO. PSC-04-0551-PCO-WS ISSUED: May 27, 2004
--	--

ORDER GRANTING 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-04-0069-PCO-WS, issued January 23, 2004.

On April 26, 2004, a Joint Motion for Continuance (Motion) was filed by Florida Water Services Corporation (FWSC or utility) and Office of Public Counsel (OPC). In support of the Motion, FWSC states that on April 20, 2004, it executed an Asset Purchase Agreement for the sale of the remaining portions of its statewide utility. FWSC believes that the consummation of the sale will eliminate the need for the instant proceeding. FWSC and OPC believe that it would be appropriate to continue the hearing and prehearing conference scheduled in this proceeding for six months, pending the completion of FWSC's efforts to sell its assets.

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

- |                          |                  |
|--------------------------|------------------|
| 1) Prehearing Conference | February 8, 2005 |
| 2) Hearing               | March 2, 2005    |
| 3) Briefs                | March 31, 2005   |

Unless authorized by the Prehearing Officer for good cause shown, all discovery shall be completed by February 23, 2005.

Based on the foregoing, it is

ORDERED by Commissioner Charles M. Davidson, as Prehearing Officer, that the Joint Motion for Continuance is granted. It is further

DOCUMENT NUMBER-DATE

06069 MAY 27 3

FPSC-COMMISSION CLERK

ORDER NO. PSC-04-0551-PCO-WS  
DOCKET NO. 980744-WS  
PAGE 2

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 Charles M. Davidson, as Prehearing Officer, this 27th day of May, 2004.



---

CHARLES M. DAVIDSON  
Commissioner and Prehearing Officer

( S E A L )

JSB

ORDER NO. PSC-04-0551-PCO-WS

DOCKET NO. 980744-WS

PAGE 3

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.