

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for increase in water and wastewater rates in Volusia County by Plantation Bay Utility Company. | DOCKET NO. 050281-WS
| ORDER NO. PSC-06-0411-PCO-WS
| ISSUED: May 16, 2006

ORDER GRANTING MOTION TO AMEND ORDER ESTABLISHING PROCEDURE

On May 11, 2006, the Office of Public Counsel (OPC) filed a motion to amend Order No. PSC-06-0284-PCO-WS (Order Establishing Procedure), issued April 11, 2006, in this docket. OPC requests that Plantation Bay Utility Company (Plantation Bay or utility) be required to respond to all discovery requests received by May 19, 2006, within 20 days (by June 8, 2006), rather than within 30 calendar days of receipt of the discovery request as set forth in the Order Establishing procedure. OPC also requests that the utility be required to make available at Plantation Bay all necessary people for one day of depositions to be held on June 15, 2006. Finally, OPC requests that the following changes to controlling dates be approved:

	<u>Current</u>	<u>Proposed</u>
Utility's testimony and exhibits:	May 22, 2006	May 29, 2006
Intervenors' testimony and exhibits:	June 19, 2006	June 30, 2006
Staff's testimony and exhibits, if any:	July 17, 2006	July 24, 2006
Rebuttal testimony and exhibits:	August 14, 2006	August 21, 2006
Prehearing Statements:	August 14, 2006	August 21, 2006

OPC states that it has communicated with Plantation Bay and with the Commission staff, and that they support the above-identified changes to controlling dates. However, the parties will have to work together to resolve any potential scheduling conflicts of the yet to be determined deponents in order that sufficient time will be preserved for OPC to prepare and timely submit its prefiled testimony.

Because OPC has shown good cause for modifying the discovery deadline and the schedule of controlling dates, and because no party objects to the motion, OPC's motion is granted.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer that the Office of Public Counsel's Motion to Amend Order Establishing Procedure is granted. It is further

ORDERED that Plantation Bay Utility Company shall respond to all discovery requests received by May 19, 2006, within 20 days (by June 8, 2006). It is further

DOCUMENT NUMBER-DATE

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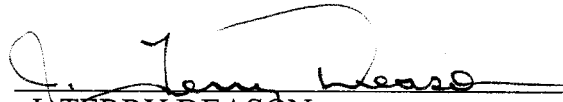
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ORDERED that Plantation Bay Utility Company shall make available all necessary deponents for one day of depositions to be held on June 15, 2006, or on an alternative date that is acceptable to the parties. It is further

ORDERED that the discovery deadline and controlling dates set forth in Order No. PSC-06-0284-PCO-WS shall be modified as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-06-0284-PCO-WS is affirmed in all other respects.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 16th day of May, 2006.


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.