

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for declaratory statement by Presco Associates, LLC concerning application of Section 367.022(7), Florida Statutes, to provide water and wastewater services as an exempt non-profit association within certificated territory of Lake Utility Services, Inc.

DOCKET NO. 060679-WS
ORDER NO. PSC-06-0922-PC0-WS
ISSUED: November 3, 2006

ORDER GRANTING PRESCO ASSOCIATES, LLC'S MOTION FOR CONTINUANCE

On October 13, 2006, Presco Associates, LLC (Presco) filed a Petition for Declaratory Statement seeking confirmation that a non-profit homeowners association created by Presco pursuant to Section 367.022(7), Florida Statutes, could provide water and wastewater utility services to its Barrington Estates development in Lake County, Florida, although one-third of the development's residences were located within the certificated water service area of Lake Utility Services, Inc. (L.U.S.I.)

On November 1, 2006 Presco filed a Motion for Continuance or Abatement to allow Presco and L.U.S.I. an opportunity to mediate this matter in order to resolve the utility service issues and avoid further litigation. Movant expressly waived the ninety-day time frame for granting or denying the petition set forth in Section 120.565(3), Florida Statutes, to the extent of the continuance.

In view of the foregoing, it is

ORDERED that Presco Associates, LLC's Motion for a Continuance is granted for a period of 45 days from the date of this order. It is further

ORDERED that this docket remain open.

By ORDER of Chairman Lisa Polak Edgar, this 3rd day of November,
2006.


LISA POLAK EDGAR
Chairman

(SEAL)

RCB

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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.