

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for certificates to provide water and wastewater service in Duval County by Timucuan Utilities, LLC.

DOCKET NO. 060741-WS
ORDER NO. PSC-07-0471-PCO-WS
ISSUED: June 1, 2007

ORDER HOLDING PROCEEDINGS IN ABEYANCE AND CONTINUING ALL SCHEDULED ACTIONS SET FORTH IN ORDER NO. PSC-07-0324-PCO-WS

On November 13, 2006, Timucuan Utilities, LLC (Timucuan or utility) filed an application for original water and wastewater certificates. On December 13, 2006, JEA timely filed an objection to the application and requested a hearing. Accordingly, this matter was scheduled for a full evidentiary hearing on September 12, 2007, and Order No. PSC-07-0324-PCO-WS, establishing procedure in this case, was issued on April 16, 2007. The hearing date was subsequently rescheduled to September 13, 2007.

On April 27, 2007, Timucuan and JEA filed a Joint Motion for Abatement and Continuance of the scheduled actions set forth in Order No. PSC-07-0324-PCO-WS (Joint Motion), stating that the parties have been negotiating to resolve the issue of who will provide water and wastewater service to the service area at issue in this case. The parties advise that they have entered into a Memorandum of Understanding (MOU) under which JEA will provide water, wastewater, and reclaimed water service to the Timucuan development. The parties are drafting an agreement to implement the MOU, upon which Timucuan will dismiss its application filed in this docket. The parties state that it is in the interest of all parties and the Commission staff not to incur the time and expense of preparing for a hearing, unless the parties do not reach agreement on the terms of the Agreement implementing the MOU.

Upon review of the Joint Motion and having been fully advised on the premises, I find it appropriate to grant the Joint Motion. This proceeding shall be held in abeyance, and all scheduled actions set forth in Order No. PSC-07-0324-PCO-WS shall be continued until such time as this matter is settled. In the event the parties advise that they have been unable to reach an agreement, a new hearing date will be scheduled, and an order revising Order No. PSC-07-0324-PCO-WS will be issued.

Based on the foregoing, it is

ORDERED by Commissioner Katrina J. McMurrian, as Prehearing Officer, that Timucuan Utilities, LLC and JEA's Joint Motion for Abatement and Continuance is granted. It is further

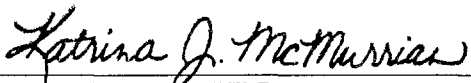
ORDERED that all scheduled actions set forth in Order No. PSC-07-0324-PCO-WS shall be continued until such time as this matter is settled. In the event the parties advise that they have been unable to reach an agreement, a new hearing date will be scheduled, and an order revising Order No. PSC-07-0324-PCO-WS will be issued.

DOCUMENT NUMBER-DATE

04457 JUN-15

FPSC-COMMISSION CLERK

By ORDER of Commissioner Katrina J. McMurrian, as Prehearing Officer, this 1st
day of June, 2007.


KATRINA J. McMURRIAN
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 Office of Commission Clerk, 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.