

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for original certificate for a proposed wastewater system and request for bifurcation in Franklin County by Water Management Services, Inc.

DOCKET NO. 090189-SU  
ORDER NO. PSC-09-0429-PCO-SU  
ISSUED: June 19, 2009

ORDER ABATING PROCEEDING

On April 15, 2009, pursuant to Sections 367.031 and 367.045, Florida Statutes (F.S.), and Rule 25-30.033, Florida Administrative Code (F.A.C.), Water Management Services, Inc. (WMSI) filed an application for an original certificate authorizing it to provide wastewater service in Franklin County, Florida (Application). The Commission received numerous letters from citizens regarding WMSI's Application, many of whom expressed concern that proceeding with the certification process would not allow sufficient time for fact-finding, receipt of public input, and discussion within the community about the best solution to Franklin County's centralized sewer treatment needs. Several persons and entities filed objections and formal petitions for hearing on the Application, including the Franklin County Board of County Commissioners (Board).

On June 4, 2009, WMSI received a letter from the Board requesting that WMSI hold its Application in abeyance for a period of six (6) months so that the Board could conduct its own investigation into the need for centralized wastewater service in Franklin County. The Board asserted that holding this proceeding in abeyance would permit it to gather the information it needs to make an informed decision whether to object to WMSI's Application. On June 5, 2009, WMSI filed a Motion to Hold Proceedings in Abeyance and Toll Deadlines (Motion).

In its Motion, WMSI requested that the Commission hold this proceeding in abeyance and toll all deadlines effective as of the date of its Motion through and including December 10, 2009. WMSI also stated that in accordance with Rule 28-106.204(3), F.A.C., it consulted with OPC regarding its Motion, and OPC advised WMSI that it does not oppose it. WMSI also submitted that as of the time of filing its Motion, it had conferred with the parties in this case, with the exception of the Apalachicola Bay and River Keeper, Inc. (River Keeper) and the St. George Plantation Owners Association (SGPOA), which WMSI was unable to reach. WMSI asserted that all of the parties contacted stated they had no objection to the Motion. Following the filing of its Motion, WMSI informed the Commission that it had conferred with the River Keeper and the SGPOA. According to WMSI, the River Keeper does not object to its Motion, and the SGPOA takes no position at this time. No objection to WMSI's Motion has been filed, and the time for doing so has expired.

Holding this proceeding in abeyance will permit further investigation and research, may avoid unnecessary administrative litigation, and will not prejudice the rights of any party. In fact, most parties who formally protested WMSI's Application noted that they hoped the Commission would allow more time for investigation before going forth with the Application. Accordingly, WMSI's Motion to Hold Proceedings in Abeyance and Toll Deadlines shall be

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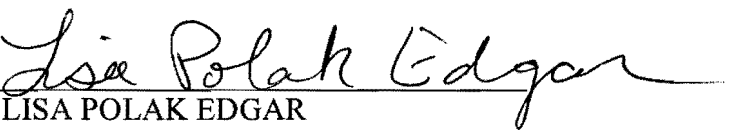
PAGE 2

granted until December 10, 2009, effective from the date WMSI's Motion was filed on June 5, 2009. If no resolution has been reached by this time, the matter shall be set for hearing.

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that Waste Management Services, Inc.'s Motion to Hold Proceedings in Abeyance and Toll Deadlines is granted as set forth in the body of this Order.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 19th day of June, 2009.



LISA POLAK EDGAR  
Commissioner and Prehearing Officer

(SEAL)

ARW

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.