

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Stephen J. Faherty and  
Glenn Fraser Heran against the City of Vero  
Beach for unfair electric utility rates and  
charges.

DOCKET NO. 090524-EM  
ORDER NO. PSC-12-0241-PCO-EM  
ISSUED: May 17, 2012

ORDER GRANTING JOINT MOTION  
TO CONTINUE DOCKET IN ABEYANCE

On May 9, 2012, Stephen J. Faherty, Glenn Fraser Heran (Complainants), and the City of Vero Beach (City), the parties to this complaint docket, filed a joint motion to continue the docket in abeyance until January 31, 2014. The City is currently reviewing a possible sale of the City's electric utility to Florida Power & Light Company (FPL), which could affect the issues the Complainants have raised in the case. The parties previously asked for an abeyance until June 29, 2012, to allow them to concentrate on the negotiations and possible sale to FPL. In this motion they assert that negotiations and related activities associated with the possible sale are ongoing, and a closing date for the sale has been tentatively set for approximately January 1, 2014. The parties ask that further activity in this docket be delayed accordingly. The parties also agree that continuance of the abeyance will not adversely affect their procedural rights in the complaint docket.

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that the Joint Motion to Continue Docket in Abeyance, filed by Stephen J. Faherty and Glenn Fraser Heran and the City of Vero Beach, is granted until January 31, 2014.

DOCUMENT NUMBER - DATE

03130 MAY 17 2012

FPSC-COMMISSION CLERK

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 17th day of May, 2012.



LISA POLAK EDGAR  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

MCB

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 25-22.0376, 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.