

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for expansion of certificate
(CIAC) (new wastewater line extension
charge) by North Peninsula Utilities Corp.

DOCKET NO. 130209-SU
ORDER NO. PSC-14-0284-PCO-SU
ISSUED: May 30, 2014

ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME

North Peninsula Utility Corporation (North Peninsula or Utility) is a Class B wastewater utility serving approximately 582 customers in Volusia County. On August 2, 2013, the Utility filed an application to amend its wastewater certificate, implement a main extension charge, and request a flat rate adjustment of three percent for five years. Subsequent to filing its application, the Utility met with staff and expressed that it needed to address potential objections to the amendment by Volusia County and the City of Ormond Beach. The processing of the docket was put on hold. On March 10, 2014, the Utility filed a revised application, which included less territory than originally requested.

The Utility provided notice of its revised application by publication on April 1, 2014, and by U.S. Mail on April 14, 2014. Pursuant to Section 357.045(4), Florida Statutes (F.S.), if, within 30 days after the last day that notice was mailed or published by the applicant, whichever is later, the Commission receives from the Public Counsel, a governmental authority, or a utility or consumer who would be substantially affected by the requested certification or amendment a written objection requesting a hearing, the Commission shall order such proceeding conducted in or near the area for which application is made, if feasible.

On April 25, 2014, Volusia County filed an Unopposed Motion for Extension of Time with respect to the Utility's application. In its Motion, the County stated that it was presently engaged in negotiations with North Peninsula regarding the proposed expansion and a possible acquisition of the Utility's wastewater service. These negotiations have the potential of obviating the need for the County filing a written objection to the Utility's application pursuant to Section 367.045(4), F.S. Volusia County states that it conferred with the Utility, which stated it had no objection to an extension of time until June 1, 2014, for the filing of a written objection.

Upon consideration of the foregoing, it appears that no prejudice would occur to either party if the Unopposed Motion for Extension of time is granted. Therefore, Volusia County shall have until June 1, 2014, to file a written objection, if any, to North Peninsula's revised application for amendment of its wastewater certificate. This Order is issued pursuant to the authority granted by Rule 28-106.211, Florida Administrative Code, which provides that the presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case.

Based upon the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that the Unopposed Motion for Extension of Time filed by the County of Volusia is granted. It is further

ORDERED that Volusia County shall have until June 1, 2014, to file a written objection, if any, to North Peninsula's revised application for amendment of its wastewater certificate.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 30th day of May, 2014.



LISA POLAK EDGAR
Commissioner and Prehearing Officer
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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.

JSC

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

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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.