

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in wastewater
rates in Monroe County by K W Resort
Utilities Corp.

DOCKET NO. 150071-SU
ORDER NO. PSC-16-0536-PCO-SU
ISSUED: November 23, 2016

SECOND ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

Order No. PSC-16-0194-PCO-SU (Initial Procedural Order), issued May 17, 2016, established hearing procedures and controlling dates for this docket, and Order PSC-16-0372-PCO-SU was issued on September 15, 2016 to modify intervenor testimony filing dates. This docket went to hearing on November 7, 2016 and post-hearing briefs are scheduled to be filed on December 2, 2016. On Monday, November 21, 2016, the Office of Public Counsel (OPC) and Monroe County (County) filed a Joint Motion for Extension of Post-Hearing Brief Filing Date (joint motion), to extend post-hearing filings until December 9, 2016. K W Resort Utilities has been contacted and it does not oppose the motion.

OPC and County assert that the date the hearing transcript was filed, as well as pending redactions to hearing exhibits and Thanksgiving Holiday has delayed their preparation of post-hearing briefs. Upon review, it appears that OPC and the County's joint motion is reasonable, and demonstrates good cause for an extension. Therefore, OPC and the County's joint motion is hereby granted, and the Initial Procedural Order shall be modified to establish a new controlling date as stated below.

Section IX of the Initial Procedural Order shall be modified and the following date is hereby established to govern a key activity in this case:

Post-Hearing Briefs

December 9, 2016

All other dates established within the Initial Procedural Order, and subsequent modification, shall remain unchanged.

Based on the foregoing, it is

ORDERED by Chairman Julie I. Brown, as Presiding Officer, that the Joint Motion for Extension of Post-Hearing Brief Filing Date is hereby granted. It is further

ORDERED that Order No. PSC-16-0194-PCO-SU shall be revised as indicated above. It is further

ORDERED that Order No. PSC-16-0194-PCO-SU, and the prior modification thereto, is hereby reaffirmed in all other respects.

By ORDER of Chairman Julie I. Brown, as Presiding Officer, this 23rd day of November, 2016.



JULIE I. BROWN

Chairman and Presiding 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.

KRM

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.