

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for modification of territorial order based on changed legal circumstances emanating from Article VIII, Section 2(c) of the Florida Constitution, by the Town of Indian River Shores.

DOCKET NO. 160049-EU
ORDER NO. PSC-16-0554-PCO-EU
ISSUED: December 13, 2016

ORDER GRANTING JOINT MOTION TO HOLD DOCKET IN ABEYANCE

On December 7, 2016, the Town of Indian River Shores (Indian River Shores) and the City of Vero Beach (Vero Beach) filed a Joint Motion to Hold Docket in Abeyance (Joint Motion). In support of their Joint Motion, Indian River Shores and Vero Beach state that on December 6, 2016, Vero Beach voted to execute a non-binding letter of intent with Florida Power & Light Company (FPL) for FPL to acquire Vero Beach's electric system located in the Town of Indian River Shores. Indian River Shores and Vero Beach further state that by holding further proceedings in this docket in abeyance, they can concentrate their efforts on due diligence and consummating the sale, which would resolve the issues in dispute in this docket. They additionally state that they will notify the Commission as soon as practicable if the sale is approved by Vero Beach.

Having reviewed the Joint Motion, I find that the request is reasonable and is hereby granted. The Joint Motion does not request a date through which this docket should be held in abeyance. However, the December 6, 2016, letter of intent between the Town of Indian River Shores and FPL provides for an anticipated closing on or before December 31, 2017. I find that it is reasonable to hold the docket in abeyance until December 31, 2017. I also ask the parties to provide the Commission with a joint status report on or before December 31, 2017.

Based on the foregoing, it is

ORDERED by Commissioner Jimmy Patronis, as Prehearing Officer, that the Town of Indian River Shores and the City of Vero Beach's Joint Motion to Hold Docket in Abeyance is granted. It is further

ORDERED that this docket shall be held in abeyance until December 31, 2017. It is further

ORDERED that the Town of Indian River Shores and the City of Vero Beach shall file a joint status report in this docket on or before December 31, 2017.

By ORDER of Commissioner Jimmy Patronis, as Prehearing Officer, this 13th day of December, 2016.



JIMMY PATRONIS

Commissioner and Prehearing Officer

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413-6770

www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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 25-22.0376, 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.