

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of a	)	DOCKET NO. 880596-SU
service availability contract between	)	
GULF AIRE PROPERTIES, INC. d/b/a GULF	)	ORDER NO. 20865
AIRE WASTEWATER TREATMENT PLANT, and C.	)	
M. PARKER and CECIL G. COSTIN, JR. in	)	ISSUED: 3-8-89
Gulf County.	)	

ORDER GRANTING CONTINUANCE

Gulf Aire Properties, Inc., d/b/a Gulf Aire Wastewater Treatment Plant (Gulf Aire) provides sewer service to a residential community in Gulf County. On March 18, 1987, Gulf Aire submitted, for this Commission's approval, an agreement it had entered into with C.M. Parker and Cecil G. Costin, Jr. (Developers). This "developer agreement" set forth terms and conditions under which Gulf Aire agreed to extend service to the Developer's property.

By Order No. 19435, issued June 6, 1988, as proposed agency action, the Commission approved this special service availability contract, subject to certain modifications, rejected a proposed agreement for the lease of a developer-installed wastewater collection system, modified Gulf Aire's service availability policies and authorized the collection of guaranteed revenues. The Commission further required Gulf Aire to send a copy of Order No. 19435 to developers operating in its service territory. Accordingly, the protest period was extended to July 5, 1988.

On July 5, 1988, the Developers timely filed a protest to Order No. 19435. The Developers requested that the matter of the special service availability contract be set for a formal administrative hearing.

During the pendency of the proceeding, the parties continued to negotiate a possible settlement. In early November, 1988, the parties reached a tentative settlement of this case. Based upon the representations by the parties that a settlement was imminent, by Order No. 20508, issued December 23, 1988, the Prehearing Officer granted a continuance of this proceeding. The parties were, however, unable to agree upon a written version of the settlement. Accordingly, this case has been reset for hearing. This case is currently scheduled for a prehearing conference on August 4, 1989, and for a hearing on August 25, 1989.

On February 27, 1989, the Developers timely filed a motion to extend the time within which to prefile their direct testimony to March 22, 1989. In their motion, the Developers indicated that Gulf Aire opposed such an extension. However, during a subsequent telephone conversation between Gulf Aire and Staff, Gulf Aire indicated that it would agree to extend the Developers' due date to March 20, 1989, if the Developers would agree to extend the due date for Gulf Aire's prefiled direct testimony to May 10, 1989. During a telephone conversation with Staff, the Developers agreed to Gulf Aire's conditions.

The Prehearing Officer has reviewed the current case schedule and it does not appear that these extensions will affect the remaining activities scheduled in this case. Since

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the parties have agreed to extend the dates for prefiling their direct testimony, as modified herein, the Developers' motion for an extension of time is granted, in part.

It is, therefore,

ORDERED by Commissioner Thomas M. Beard, as Prehearing Officer, that the motion by C.M. Parker and Cecil G. Costin, Jr. for an extension of time to prefile their direct testimony is hereby granted, in part, as set forth in the body of this Order.

By ORDER of Commissioner Thomas M. Beard as Prehearing Officer, this 8th day of MARCH, 1989.

  
THOMAS M. BEARD, Commissioner and  
Prehearing Officer

( S E A L )

RJP