

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of)	DOCKET NO. 881500-WS
Certificates Nos. 362-W and 317-S from)	ORDER NO. 22601
BEACON TWENTY-ONE DEVELOPMENT CORP-)	ISSUED: 2-26-90
ORATION to LANIGER ENTERPRISES OF)	
AMERICA, INC. in Martin County)	
_____)	

ORDER GRANTING EXTENSION OF
TIME TO PREFILE TESTIMONY

By Order No. 22203, issued November 21, 1989, this Commission approved a transfer of Certificates Nos. 263-W and 317-S from Beacon Twenty-One Development Corporation to Laniger Enterprises of America, Inc. Also by Order No. 22203, the Commission proposed to disregard a negative acquisition adjustment, which arose out of the transfer, in setting rate base as of the time of the transfer.

On December 12, 1989, the Office of Public Counsel (OPC) protested that portion of Order No. 22203 by which the Commission declined to recognize the negative acquisition adjustment. Accordingly, this matter was set for an administrative hearing on May 4, 1990, with a prehearing conference to be held on April 25, 1990.

By Order No. 22416, issued January 12, 1990, the Prehearing Officer established a schedule to govern the key activities in this case. Pursuant to Order No. 22416, the parties were to prefile their direct testimony and exhibits no later than February 23, 1990.

Recently, the parties have engaged in discussions aimed at settling this matter. The Prehearing Officer is informed that the parties are close to an agreement. Since a settlement appears likely, and in order that the needless expense of preparing testimony and exhibits may be avoided, the Prehearing Officer, on her own motion, hereby grants a thirty-day extension of time for the parties to prefile their direct testimony and exhibits. The Prehearing Officer is informed that neither party objects to such an extension and the extension will do no harm to the case schedule.

It is, therefore,

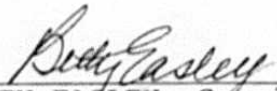
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ORDER NO. 22601
DOCKET NO. 881500-WS
PAGE 2

ORDERED by Betty Easley, as Prehearing Officer, that Order No. 22416 is hereby amended in order to allow the parties until March 26, 1990, to prefile their direct testimony and exhibits. It is further

ORDERED that Order No. 22416 is hereby affirmed in all other respects.

By ORDER of Commissioner Betty Easley, as Prehearing Officer, this 26th day of FEBRUARY, 1990.



BETTY EASLEY, Commissioner and
Prehearing Officer

(S E A L)

RJP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by

ORDER NO. 22601
DOCKET NO. 881500-WS
PAGE 3

the Commission; or 3) 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 sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.