

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a staff-)	DOCKET NO. 900293-SU
assisted rate case in Pasco)	ORDER NO. 24588
County by HUDSON UTILITIES, INC.)	ISSUED: 5/28/91
_____)		

ORDER GRANTING MOTION FOR CONTINUANCE
AND ACKNOWLEDGING WAIVER
OF SECTION 367.0814, FLORIDA STATUTES

BY THE COMMISSION:

By Order No. 24000, issued January 17, 1991, the Prehearing Officer for this case established the controlling procedural dates for the above-captioned proceeding. According to that Order, the hearing in this matter was to be held on May 30th and 31st, 1991.

On May 23, 1991, Hudson Utilities, Inc., (Hudson or utility) filed a Motion For Continuance. In its Motion, Hudson asks that the Commission continue the hearing scheduled in this case from May 30th and 31st until the next available hearing date within a 120-day period or such other time as may be appropriate. In addition, Hudson waived the 15-month processing deadline set forth in Section 367.0814, Florida Statutes, but limited said waiver to a period of 120 days beyond the original deadline, September 16, 1991. The waiver is hereby acknowledged.

The testimony and exhibits filed in anticipation of the hearing in this matter presuppose the inclusion of the Viva Villas area in Hudson's certificated territory. At the May 21, 1991, Agenda Conference, the Commission announced its intention to conditionally deny the transfer of Viva Villas to Hudson. In its Motion For Continuance, Hudson requests that the rate case hearing be postponed until the conclusion of the transfer controversy.

All of the parties involved in this matter have been contacted, and none have objected to the proposed continuance of the hearing. I agree with the utility that the rate case hearing should be postponed until the conclusion of the transfer controversy. Accordingly, I hereby grant the utility's Motion For Continuance. The hearing is, therefore, postponed until further notice.

It is, therefore,

ORDERED by Chairman Thomas M. Beard that the Motion For Continuance filed in the above-captioned cause is granted and the

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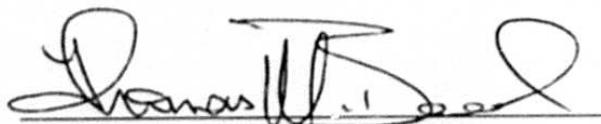
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hearing scheduled for May 30th and 31st is postponed until further notice. It is further

By ORDER of Chairman Thomas M. Beard this 28th day of May, 1991.


THOMAS M. BEARD, Chairman

(S E A L)

MF

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 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.