

MEMORANDUM

MAY 5, 1997

RECEIVED
6
11:50

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (REYES) *flr*
RE: DOCKET NO. 960546-WS - APPLICATION FOR CERTIFICATE TO PROVIDE WATER AND WASTEWATER SERVICE IN MARION COUNTY BY GOLDEN Ocala UTILITIES, INC.

PSC-97-0520-PCO-WS

Attached is an ORDER GRANTING SECOND MOTION FOR CONTINUANCE to be issued in the above-referenced docket. (Number of pages in Order - 3)

BLR/dp

Attachment

cc: Division of Water and Wastewater (Golden, Redemann, Walker)

I: 96054602.BLR

MUST GO TODAY

3/0

Copied

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 960546-WS
certificate to provide water and) ORDER NO. PSC-97-0520-PCO-WS
wastewater service in Marion) ISSUED: May 6, 1997
County by Golden Ocala)
Utilities, Inc.)
_____)

ORDER GRANTING SECOND MOTION FOR CONTINUANCE

On April 30, 1996, Golden Ocala Utilities, Inc., (Golden Ocala) filed an application for certificate to provide water and wastewater service in Marion County. On May 24, 1996, Utilities Inc. of Florida objected to Golden Ocala's application. Accordingly, the matter was scheduled for hearing. Order No. PSC-96-0937-PCO-WS, issued July 19, 1996, established the dates and procedure to govern the key activities of this case. On January 13, 1997, Golden Ocala filed a Motion for Continuance of Hearing. By Order No. PSC-97-0184-PCO-WS, issued February 18, 1997, Golden Ocala's motion was granted for a period of sixty days. On April 17, 1997, Golden Ocala filed a Notice of Status and Motion for Further Continuance of Hearing. No responses or objections to the motion have been filed.

Golden Ocala states in its motion that a written agreement whereby Marion County will provide all water and wastewater service to the Applicant's proposed territory (Agreement) has been drafted and the final modifications thereto are being reviewed by the parties to the Agreement for final approval. Marion County has advised the Applicant that the Agreement is being placed on the agenda for consideration and approval by the Board of County Commissioners of Marion County at its regularly scheduled meeting on Tuesday, May 6, 1997.

Golden Ocala requests that scheduling of a hearing on its application continue to be suspended for an additional sixty days and that all proceedings, discovery and other required actions and procedures continue to be suspended until such time as a hearing on the application is rescheduled.

It appears that a reasonable effort among the parties is being made to resolve this matter and that a decision will likely be reached in the very near future. In consideration of the foregoing, Golden Ocala's Motion for Continuance is granted for a period of sixty days. Golden Ocala shall notify the Commission of the status of this matter at the end of the sixty days so that appropriate action may be taken.

DOCUMENT NUMBER-DATE

04467 MAY-96

SPSC-RECORDS/REPORTING

ORDER NO. PSC-97-0520-PCO-WS
DOCKET NO. 960546-WS
PAGE 2

Based on the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Motion for Continuance filed by Golden Ocala Utilities, Inc., is hereby granted to the extent described herein. It is further

ORDERED that Golden Ocala Utilities, Inc., shall notify the Commission of the status of this matter within sixty days of the date of issuance of this Order so that appropriate action may be taken.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 6th day of May, 1997.


DIANE K. KIESLING, Commissioner and
Prehearing Officer

(S E A L)

BLR

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.

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, 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 wastewater 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.