

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate increase in )  
Brevard, Charlotte/Lee, Citrus, Clay, )  
Duval, Highlands, Lake, Marion, )  
Martin, Nassau, Orange, Osceola, )  
Pasco, Putnam, Seminole, Volusia, )  
and Washington Counties by )  
SOUTHERN UTILITIES INC.; )  
Collier County by MARCO )  
SHORES UTILITIES (Deltona); )  
Hernando County by SPRING )  
HILL UTILITIES (Deltona); and )  
Volusia County by DELTONA )  
LAKES UTILITIES (Deltona) )

Docket No. 920199-WS

MOTION FOR CONTINUANCE OR REQUEST FOR DEFERRAL

COMES NOW Charlotte County (County), 18500 Murdock Circle, Port Charlotte, Florida 33948-1094 by and through its undersigned attorneys, pursuant to Rule 25-22.041, Florida Administrative Code and respectfully requests the Florida Public Service Commission (Commission) to continue or alternatively to defer consideration of the appropriateness of a surcharge/refund as addressed in Order No. PSC-97-1033-PCO-WS and Order No. PSC-97-1290-PCO-WS, now scheduled for a Commission Special Agenda Conference on December 15, 1997. As grounds therefore, the County would show:

1. That the County be provided the opportunity to fully and fairly review all the facts and ascertain all the conflicting positions in the materials previously submitted by the parties listed in the above-styled cause.

2. That the County be provided the opportunity to fully and fairly evaluate the options listed by the Commission in Order No. PSC-97-1033-PCO-WS and addressed in the materials previously submitted by the parties in the above-styled cause.

3. That the holiday period places a significant additional burden upon the County's resources and ability to confer with the parties and their respective counsel.

4. That the First District Court of Appeals be provided the opportunity to resolve the salient uniform rate structure issues currently briefed in the case entitled St. Jude Catholic Church vs. Florida Public Service Commission, Case No. 97-5407-CA-C, 1st DCA Case No. 96-3334, 96-3454, and 96-3489.

5. That any action by the Commission before the First District Court of Appeals resolves St. Jude Catholic Church vs. Florida Public Service Commission, would be premature.

ACK   
AFA   
APP   
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG   
LIN   
DPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC   
WAS \_\_\_\_\_  
OTH \_\_\_\_\_

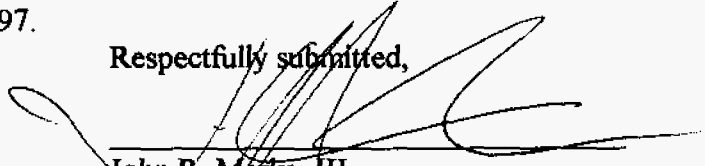
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FPSC BUREAU OF RECORDS

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FPSC-RECORDS/REPORTING

WHEREFORE, and in consideration of the foregoing, Charlotte County requests that the Commission continue or alternatively defer this matter and reschedule consideration of the appropriateness of a surcharge/refund until such time as the issues aforementioned are first addressed or resolved.

Dated this 26<sup>th</sup> day of November, 1997.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing, Petition of the County of Charlotte For Leave To Intervene has been furnished by U.S. Mail to the following people this 26<sup>th</sup> day of November, 1997.

  
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