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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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RECORDS AND REPORTING

In re: Application of Town and Country Utilities Company for an original certificate to operate a water utility in Charlotte and Lee Counties, Florida)

DOCKET NO. 981288-WU

MOTION FOR EXTENSION OF TIME

Comes now, Town and Country Utilities Company (hereinafter "the Utility" or "Town and Country"), by and through their undersigned attorneys, and files this Motion for Extension of Time to file its direct testimony and other controlling dates as outlined in pre-hearing Procedural Order No. PSC-99-0084-PCO-WU dated January 13, 1999 and in support thereof states as follows:

I.

The Pre-hearing Procedural Order provides that Town and Country's direct testimony in support of its Application is due to be filed on April 16, 1999. The final hearing date is currently scheduled for August 24 and 25, 1999. In between the filing of direct testimony of Town and Country and the date of hearing, there is substantial time to permit all parties additional time to prepare their case and submit appropriate testimony well in advance of the hearing, even with an extension as proposed herein.

II.

Since the filing of the two protests to Town and Country's Application, representatives of Town and Country have been in continuing contact with representatives of both Protestants (Lee County and Charlotte County). On March 9, 1999 the Charlotte County Commission specifically voted to withdraw its protest on conditions to which Town and Country is agreeable and which are

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG 2
LIR 5
OFC _____
ROH _____
SEC 1
WAS Walker
OTH _____

DOCUMENT NUMBER-DATE

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FPSC--RECORDS/REPORTING

not specifically related to the Application pending before the Commission. Charlotte County and Town and Country are currently working toward finalization of that settlement arrangement which will lead to the withdrawal by Charlotte County. It is expected that a final withdrawal will occur within the next two to three weeks.

III.

Discussions between Lee County officials and Town and Country have been ongoing since the filing of the protest by Lee County and the parties are confident that some settlement arrangement will be able to be arrived at, which will hopefully result in the withdrawal of Lee County's objection to Town and Country's Application in the relatively near future as well.

IV.

The preparation of direct testimony by Town and Country and other matters related to preparation for hearing, will likely be very costly and ultimately have an impact on the rates of customers proposed for service by Town and Country. As such, if those costs can be avoided as a result of settlement of all pending protests, it is in the best interest of all parties and the public generally to delay preparation of testimony and incurring the related cost until such time as it is apparent that settlement cannot be achieved, or to at least be in a position to determine who the protesting parties will be and therefore the scope of the direct testimony.

V.

On Monday, March 22, 1999, the undersigned counsel contacted the attorneys representing Lee County and Charlotte County to seek their approval of this Motion for an additional thirty days in which to file the direct testimony of Town and Country and the other related controlling dates, so as to allow all of the parties to this proceeding additional time to determine the nature and extent of

any protests and to attempt to resolve those protests if possible. All of the parties agreed that they had no objection to such an extension if all parties were given an equal extension on the due date for the filing of their testimonies.

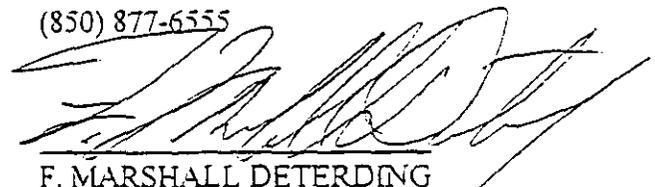
VI.

Given that the hearing as scheduled for this proceeding is not to occur until August 24 and 25, 1999, and an extension of thirty days to all of the relevant testimony and pre-hearing statement due dates will still provide ample time prior to hearing for the completion of those requirements, and will also allow some additional time for attempting to resolve the remaining protest and hopefully avoiding a hearing in its entirety and all costs related thereto, no parties are prejudice and by this extension of time and all parties are in agreement that it is acceptable and it is in the public interest.

WHEREFORE, Town and Country Utilities Company hereby requests that the Pre-hearing Officer grant an additional thirty days extension of time for the due dates for all testimony to be prefiled in this proceeding and for the filing of the pre-hearing statements of all parties in the above-referenced matter.

Respectfully submitted this
22nd day of March, 1999, by:

ROSE, SUNDSTROM & BENTLEY, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
(850) 877-6555



F. MARSHALL DETERDING

CERTIFICATE OF SERVICE

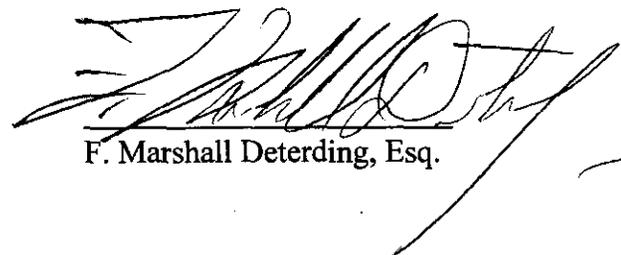
I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished by telecopy and regular U.S. Mail to the following on this 22nd day of March, 1999.

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