

LAW OFFICES
MESSER, CAPARELLO & SELF
A PROFESSIONAL ASSOCIATION

215 SOUTH MONROE STREET, SUITE 701
POST OFFICE BOX 1876
TALLAHASSEE, FLORIDA 32302-1876
TELEPHONE: (850) 222-0720
TELECOPIER: (850) 224-4359
INTERNET: www.lawfla.com

July 30, 2001

BY HAND DELIVERY

Ms. Blanca Bayó, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket Nos. 980992-WS and 981609-WS

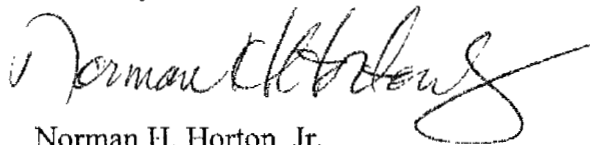
Dear Ms. Bayó:

Enclosed for filing on behalf of Worthwhile Development II, Ltd. are an original and fifteen copies of Worthwhile's Motion for Continuance in the above-referenced dockets.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance with this filing.

Sincerely,



Norman H. Horton, Jr.

NHH/amb
Enclosures

cc: David A. Barrett, Esq.
Parties of Record

DOCUMENT NUMBER-DATE

09246 JUL 30 2001

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by D.R. Horton)
Custom Homes, Inc. against)
Southlake Utilities, Inc. in) Docket No. 980992-WS
Lake County Regarding collection)
of certain AFPI charges.)
_____)

In re: Emergency petition by)
D. R. Horton Custom Homes, Inc.) Docket No. 981609-WS
to eliminate authority of) Filed: July 30, 2001
Southlake Utilities, Inc. to)
collect service availability)
charges and AFPI charges in Lake)
County.)
_____)

MOTION FOR CONTINUANCE

Comes now, Worthwhile Development II, Ltd., (“Worthwhile”) pursuant to Rule 28-106.40, Florida Administrative Code, and files this Motion for Continuance and as basis states:

1. On July 5, 2001, Worthwhile filed its Protest to Order No. PSC-01-1297-PAA-WS, a Notice of Proposed Agency Action Order approving a proposed settlement agreement between D. R. Horton Custom Homes, Inc. and Southlake Utilities. The settlement specified refunds to be made to several developers, including Worthwhile, even though they were not and had not participated in the docket.

2. The schedule for disposition of these dockets currently specifies that prefiled direct testimony of Worthwhile is due August 6, a prehearing conference is August 8 and the hearing is August 24th. The hearing date was established before Worthwhile filed its protest and was based on circumstances which have now changed.

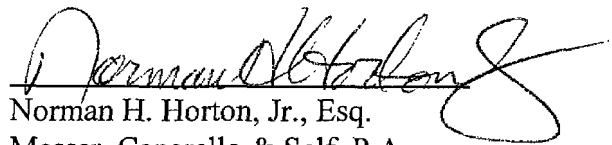
3. Worthwhile was not a party until this protest was filed and has not had the opportunity to conduct any discovery, subject the information filed by Southlake to review by experts, or develop its own information for analysis by the Commission. The current schedule does not allow for an opportunity to adequately review existing information or prepare its testimony and case, nor does it afford other parties time to review and respond to filings made by Worthwhile.

4. In this instance the interests of Worthwhile were not affected until the Commission accepted a proposed settlement which determined that Worthwhile was entitled to a certain refund. The Order which adopted the proposed settlement acknowledged a difference between the amount of a refund pursuant to existing tariffs and the amount to be refunded pursuant to the settlement but took no position as to the accuracy of the settlement amount. That determination now affects the interest of Worthwhile and Worthwhile would request the opportunity to adequately prepare its case.

5. This Motion is not submitted to unduly delay the ultimate decision in this proceeding but to afford Worthwhile an opportunity to adequately prepare its presentation. Southlake is aware of this request and concurs that a continuance is appropriate under the circumstances and D. R. Horton does not object to a continuance.

WHEREFORE, Worthwhile Development II, Ltd. requests that the Commission continue these proceedings to a later date.

Respectfully submitted,



Norman H. Horton, Jr., Esq.
Messer, Caparello & Self, P.A.
215 S. Monroe Street, Suite 701
P.O. Box 1876
Tallahassee, FL 32302-1876
(850) 222-0720

and

David A. Barrett, Esq.
Barrett and Associates
111 S. Monroe St., Suite 3000
Tallahassee, FL 32301
(850) 222-9000

Attorneys for Worthwhile Development II, Ltd

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing in Docket Nos. 980992-WS and 981069-WS have been served upon the following parties by Hand Delivery (*) and/or U. S. Mail this 30th day of July, 2001.

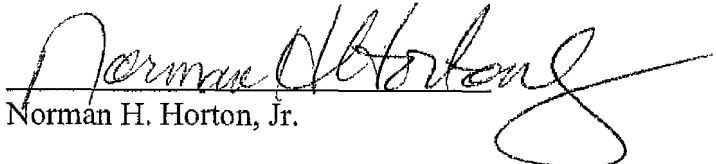
Roseanne Gervasi, Esq.*
Division of Legal Services, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Ade & Schildberg, P.A.
Scott G. Schildberg
One Independent Drive, Suite 2000
Jacksonville, FL 32202

D. R. Horton Custom Homes, Inc.
6250 Hazeltine National Drive, Suite 104
Orlando, FL 32822

Rose Law Firm
Marshall Deterding
2548 Blairstone Pines Drive
Tallahassee, FL 32301

Southlake Utilities, Inc.
P.O. Box 6209
Tallahassee, FL 32314-6209


Norman H. Horton, Jr.