

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for rate increase in Orange
County by Zellwood Station Co-Op, Inc.

DOCKET NO. 010492-WS
ORDER NO. PSC-03-0612-PCO-WS
ISSUED: May 19, 2003

ORDER GRANTING THIRD MOTION FOR EXTENSION OF TIME
AND SUSPENDING HEARING SCHEDULE

By Order No. PSC-01-2206-PCO-WS, issued November 14, 2001, a procedural schedule was established setting forth the controlling dates for this docket. The controlling dates for this docket were recently revised by Order No. PSC-02-0877-PCO-WS, issued July 1, 2002.

On September 27, 2002, Zellwood Station Co-Op, Inc. (Zellwood) filed a Third Motion for Extension of Revised MFR Filing Date (Motion). In support of its Motion, Zellwood states that while significant progress has been made, additional time is needed to finalize the sale of its treatment facilities and to execute a bulk water and wastewater agreement with Orange County. On December 20, 2002 and April 1, 2003, Zellwood filed amendments to its Motion, requesting further extensions of the revised MFR filing date. In early 2003, staff was informed that in addition to the sale of the water and sewer plants to Orange County, Zellwood intended to transfer the remaining collection and distribution systems to the Zellwood Station Community Association, a member-owned cooperative exempt from Commission regulation pursuant to Section 367.022, Florida Statutes. On April 30, Zellwood filed the first monthly status report advising staff and all other parties to this matter of the status of the pending sales.

Zellwood notes that its customers will be protected during the pendency of the docket by the security required pursuant to Order No. PSC-01-2471-PCO-WS, issued December 18, 2001. Further, Zellwood will continue to temporarily waive the 8-month statutory deadline for the Commission to approve the requested rates as set forth in Section 367.081, Florida Statutes, until disposition of this docket. Zellwood has contacted all parties of record, and none have expressed any objection to the Commission granting the Motion.

Based on the foregoing, the utility's request is reasonable and is hereby granted. In light of the proposed sales of the Zellwood plant and collection and distribution systems, the hearing schedule will be suspended. New controlling dates or disposition of this docket will be established by separate order.

Based on the foregoing, it is

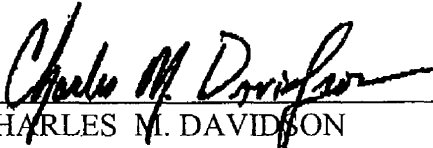
ORDERED by Commissioner Charles M. Davidson, as Prehearing Officer, that Zellwood Station Co-Op, Inc.'s Third Motion for Extension of Revised MFR Filing Date is granted, as set forth herein. It is further

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ORDERED that the hearing schedule for this docket shall be suspended.

By ORDER of Commissioner Charles M. Davidson, as Prehearing Officer, this 19th day of May, 2003.



CHARLES M. DAVIDSON
Commissioner and Prehearing Officer

(S E A L)

JSB

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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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; or (2) 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 the Commission Clerk and Administrative Services, 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.