

JAMES E. "JIM" KING, JR.  
PRESIDENT



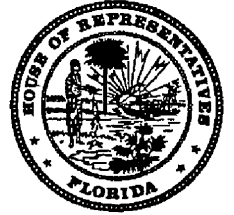
Charles J. Beck  
Interim  
Public Counsel

**ORIGINAL**

--- STATE OF FLORIDA  
OFFICE OF THE PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE  
111 WEST MADISON ST.  
ROOM 812  
TALLAHASSEE, FLORIDA 32399-1400  
850-488-9330

JOHNNIE BYRD  
SPEAKER



November 14, 2003

Ms. Blanca S. Bayó, Director  
Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

RECEIVED-FPSC  
03 NOV 14 PM 2:57  
COMMISSION  
CLERK

RE: Docket No. 030438-EI

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of a Motion for Extension of Time to File Testimony for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

RECEIVED & FILED  
*16*  
FPSC-BUREAU OF RECORDS

Sincerely,

Stephen C. Burgess  
Deputy Public Counsel

SCB/dsb  
Enclosures

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM 3 \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
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MMS \_\_\_\_\_  
SEC 1 \_\_\_\_\_  
OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

11401 NOV 14 03

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for rate  
increase by Florida Public  
Utilities Company.

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DOCKET NO. 030438-EI  
FILED: November 14, 2003

**MOTION FOR EXTENSION OF TIME TO FILE TESTIMONY**

The Citizens of the State of Florida, through their attorney, the Public Counsel, pursuant to Rule 28-106.204, Florida Administrative Code, hereby file this motion to extend the deadline for filing testimony until December 29, 2003. As grounds, the Citizens submit:

1. Currently, the Citizens' testimony is due on November 28, 2003. The PSC Staff testimony is due January 5, 2004, rebuttal testimony is due January 12, 2004, and the Prehearing Conference is scheduled for February 2, 2004.

2. The PSC Staff audit report is due on December 19, 2003. In most cases, the Staff audit identifies areas which give rise to issues or otherwise call for PSC attention. The Citizens seek an opportunity to address areas uncovered by the Staff audit.

3. In addition, Florida Public Utilities Company's (FPUC) responses to the Citizens' discovery have also raised areas of concern which require further investigation and examination. The Citizens intend to seek depositions of certain FPUC witnesses in order to fully understand explanations that FPU has supplied in response to written discovery. The Citizens want to have all these issues fully developed to present to the Commission through direct testimony.

4. The Citizens believe the schedule can accommodate an extension of time for the Citizens to file their direct testimony.

5. The undersigned counsel has contacted counsel for the parties. FPUC does not object to the Citizens' extension as long as FPUC is also given an appropriate extension to respond. Specifically,

DOCUMENT NUMBER-DATE

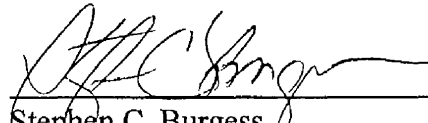
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FPSC-COMMISSION CLERK

FPUC would seek to extend the deadline for rebuttal testimony and for the Prehearing Statements to January 23, 2004. PSC Staff does not object as long as various other scheduling requirements are appropriately adjusted.

WHEREFORE, the Citizens of the State of Florida respectfully request an extension of time to file testimony on December 29, 2003, and move for approval of this request.

Respectfully submitted,



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Stephen C. Burgess  
Deputy Public Counsel

Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400

(850) 488-9330

Attorneys for the Citizens of the  
State of Florida


**CERTIFICATE OF SERVICE  
DOCKET NO. 030438-EI**

I HEREBY CERTIFY that a true and exact copy of the above and foregoing Motion for Extension of Time to File Testimony has been furnished by hand delivery\* or U.S. Mail to the following parties of record this 14<sup>th</sup> day of November, 2003.

Jennifer Brubaker, Esquire\*  
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Division of Legal Services  
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\_\_\_\_\_  
Stephen C. Burgess  
Deputy Public Counsel