

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application of TIMUCUAN)
UTILITIES, LLC for original water)
and wastewater Certificates in)
Duval County, Florida)
_____)

DOCKET NO.: 060741 - WS

TIMUCUAN UTILITIES, LLC'S MOTION FOR TEMPORARY RULE WAIVER

Timucuan Utilities, LLC ("Utility"), by and through its undersigned attorneys and pursuant to Section 120.542, Florida Statutes, moves this Commission for a temporary waiver of certain Rule requirements, and in support thereof, states:

1. As set forth in its Application, the Utility has requested that the Commission bifurcate the rate making and certification functions so that the Utility may obtain its certificates expeditiously in order to proceed with its water use permitting and wastewater treatment plant permitting.

2. In order to accomplish the bifurcation, the Utility requests a temporary waiver from the requirements of the following Rules:

25-30.033(1)(j) - Proof of ownership of land.

CMP _____

25-30.033 (1) (k) - The original and two copies of tariffs.

COM _____

25-30.033 (1) (m) - System Map showing proposed lines and facilities.

CTR _____

25-30.033(1)(p) - Description of type of water and wastewater treatment.

ECR _____

25-30.033 (1) (r) - A detailed financial statement.

GCL _____

25-30.033 (1) (t) - A cost study supporting proposed rates and changes.

OPC _____

25-30.033 (1) (u) - A schedule showing the projected cost of the systems.

RCA _____

25-30.033 (1) (v) - A schedule showing projected operating expenses.

SCR _____

25-30.033 (1) (w) - A schedule showing the projected capital structure.

SGA _____

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3. The information required by the foregoing Rules will be filed by the Utility

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sufficiently in advance of providing service to allow the Commission time for evaluation.

This Commission has recently granted a Rule Waiver under virtually identical circumstances. In re: Application for certificates to provide water and wastewater service in Putnam County by Mariposa Utility Company, LLC, Order No.: PSC-06-0835-PAA-WS (October 9, 2006). See also, In re: Application for Certificates to provide water and wastewater service in Sumter County by Central Sumter Utility Company, L.L.C., Order No. PSC-05-0844-PAA-WS (August 18, 2005).

As this Commission recognized in those Orders, the Utility faces a conundrum by virtue of Section 367.031, Florida Statutes, because it cannot procure a water use permit or wastewater treatment plant permit until it procures a certificate from the Commission. However, detailed facility cost information cannot be determined until it receives its other permits.

WHEREFORE, Timucuan Utilities, LLC, requests this Commission enter an Order temporarily waiving the requirements of Rules 25-30.033 (1) (k), (m), (p), (r), (t), (u), (v), and (w).

Respectfully submitted on this 9 day
of November, 2006, by:

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