

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for staff as-
sisted rate case in Marion County
by County-Wide Utility Co., Inc.

DOCKET NO. 050862-WU

07 FEB -7 AM 9:37

ECONOMIC REGULATION

COUNTY-WIDE UTILITY CO., INC.'s
MOTION FOR DELAY IN AGENDA CONFERENCE

COUNTY-WIDE UTILITY CO., INC., ("County-Wide" or "Utility") by and through its undersigned counsel hereby files this Motion for a Delay in the Commission Agenda Conference to consider the final staff recommendation issued on February 1, 2007 in the above-referenced docket, and in support thereof states:

1. In response to numerous significant issues raised by the Commission staff during their analysis of the recent interconnection between County-Wide and the City of Ocala for purchase of bulk water, the Utility's outside engineers submitted a "Cost/Benefit Analysis of Water Supply Alternatives" dated October 2006, in order to demonstrate the appropriateness of the investment made by the Utility in these interconnection facilities and to address issues raised by the staff concerning questions about that investment.

2. In its February 1, 2007 recommendation, the staff has disagreed with the conclusions reached in that engineer's report and has made substantial adjustments to the Utility's rate base and rates as a result.

3. County-Wide and its engineer believe that the substantial adjustments to the Utility's investment and interconnection of facilities are ill conceived, based upon erroneous information and

devastating to the Utility's financial health, and that the Utility must provide substantial input at the Commission's Agenda Conference to refute the assumptions and conclusions reached by the staff on these and other important issues. The Utility's engineer is the key person in responding to the majority of these issues.

4. The Utility's engineer has informed the Utility as of last Friday, February 2, 2007 that he is undergoing medical treatment in Houston, Texas for a life-threatening illness and that he is not allowed to travel during the next few weeks and likely months. As such, he cannot be present at the February 13, 2007 Agenda Conference and will likely not be available to be present at any Agenda Conference in the near future, due to these health reasons. As a result, the Utility is having to decide what other arrangements to make, either to have a replacement engineer present, or to determine whether the current engineer, Mr. John Potts, can make himself available by teleconference to assist. Either choice will take some further analysis and likely will require bringing another engineer up to speed on the issues and the reports prepared by the staff and Mr. Potts.

5. By this Motion the Utility is hereby willing to extend all statutory deadlines necessary for the processing of this staff assisted rate proceeding, in order to allow for this additional time as outlined in this Motion.

6. Monies collected under temporary rates authorized by

Order No. PSC-06-0336-PCO-WU are being collected subject to refund and as such, protections are in place to ensure that those monies can be refunded to the extent the Commission ultimately determines that some portion of them is to be refunded. Therefore, there is no prejudice to any person as a result of the additional delay requested herein.

WHEREFORE, in consideration of the above, County-Wide requests that the time for consideration of the final recommendation in this proceeding be delayed until the April 10, 2007 Commission Agenda Conference in order to allow the Utility an opportunity to make appropriate arrangements to have its engineer available to present evidence concerning the key adjustments made in the staff recommendation, which will effect the continued financial viability of the Utility Company. The Utility will work diligently in this regard and to the extent it is able to make necessary arrangements in advance of that date, it will report back to the staff as soon as those arrangements are made and attempt to place this matter on an earlier agenda if at all possible.

Respectfully submitted on this
6th day of February, 2007, by:

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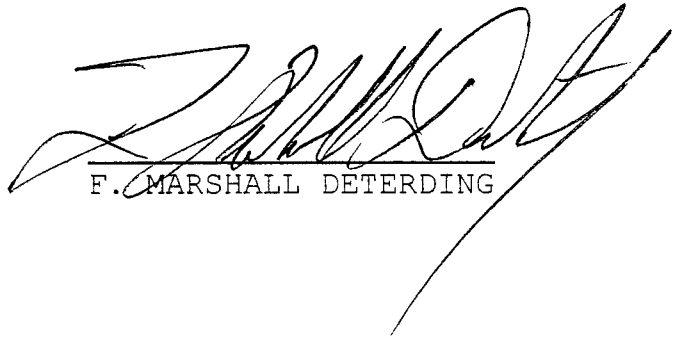
By 

F. MARSHALL DETERDING

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished Via Hand Delivery (*) this 6th day of February, 2007, to:

Rosanne Gervasi, Esquire*
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0873



F. MARSHALL DETERDING