

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for amendment of Certificates 611-W and 527-S to extend water and wastewater service areas to include certain land in Charlotte County by Sun River Utilities, Inc. (f/k/a MSM Utilities, LLC).	DOCKET NO. 070109-WS ORDER NO. PSC-07-0662-PCO-WS ISSUED: August 16, 2007
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ORDER GRANTING MOTION FOR CONTINUANCE
AND
REVISING ORDER ESTABLISHING PROCEDURE

By Order No. PSC-07-0452-PCO-WS (Order Establishing Procedure), issued May 29, 2007, in this docket, the objection of Charlotte County to the amendment application of Sun River Utilities, Inc. (Sun River or utility) was scheduled for formal hearing to be held on November 1 and 2, 2007. The Order Establishing Procedure also set the controlling dates for this case.

Subsequent to the issuance of the Order Establishing Procedure, Sun River determined that one of its main witnesses had a commitment that would take him out of the country from October 20, 2007 to November 11, 2007. Therefore, on July 18, 2007, Sun River filed its Motion for Continuance, or in the Alternative, Motion to Permit Expert to Testify by Deposition (Motion).

On July 30, 2007, Charlotte County provided its response to Sun River's Motion. In the response, Charlotte County stated that it was in agreement for the need for a continuance. However, Charlotte County strenuously objected to Sun River's Motion to Permit Expert Testimony by Deposition and reserved the right to depose the witnesses and conduct cross-examination at a fair and impartial public hearing.

Based on the above and noting that both parties have agreed that a continuance is appropriate, Sun River's Motion for a Continuance is granted, rendering the Alternative Motion to Permit Expert Testimony by Deposition moot. Due to the continuance, the prehearing conference has been rescheduled for January 3, 2008, and the hearing has been rescheduled for January 16 and 17, 2008. Accordingly, the controlling dates governing this case are revised as set forth below.

DOCUMENT NUMBER-DATE

07198 AUG 16 5

FPSC-COMMISSION CLERK

	<u>Original</u>	<u>Revised</u>
(1) Utility's testimony and exhibits	July 23, 2007	Already Filed
(2) Protester's/Intervenor's testimony and exhibits	August 27, 2007	October 16, 2007
(3) Staff's testimony and exhibits, if any	September 11, 2007	November 8, 2007
(4) Rebuttal testimony and exhibits	September 25, 2007	November 30, 2007
(5) Prehearing Statements	October 1, 2007	December 13, 2007
(6) Prehearing Conference	October 15, 2007	January 3, 2008
(7) Discovery deadline	October 25, 2007	January 9, 2008
(8) Hearing	November 1-2, 2007	January 16-17, 2008
(9) Briefs	November 26, 2007	February 7, 2008

Based upon the foregoing, it is


ORDERED by Commissioner Katrina J. McMurrian, as Prehearing Officer, that Sun River Utilities, Inc.'s Motion for Continuance is granted, and that its Alternative Motion to Permit Expert to Testify by Deposition is moot. It is further

ORDERED that the hearing in this matter is rescheduled for January 16 and 17, 2008, and the Prehearing Conference is rescheduled for January 3, 2008. It is further

ORDERED that the revised controlling dates set forth in the body of this Order shall govern this case. It is further

ORDERED that all other provisions of Order No. PSC-07-0452-PCO-WS are hereby reaffirmed.

By ORDER of Commissioner Katrina J. McMurrrian, as Prehearing Officer, this 16th day of August, 2007.


KATRINA J. McMURRIAN
Commissioner and Prehearing Officer

(S E A L)

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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 Office of Commission Clerk, 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.