

Ruth Nettles

From: Ann Bassett [abassett@lawfla.com]
Sent: Tuesday, October 23, 2007 2:58 PM
To: Filings@psc.state.fl.us
Subject: Docket 070304-EI
Attachments: 2007-10-23, 070304, FPUC's Motion for Extension of Time.pdf

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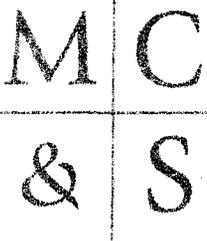
The Docket No. is 070304-EI, Florida Public Utilities Company's Petition for Rate Increase

This is being filed on behalf of Florida Public Utilities Company

Total Number of Pages is 4

Motion for Extension of Time

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October 24, 2007

VIA ELECTRONIC FILING

Ms. Ann Cole, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

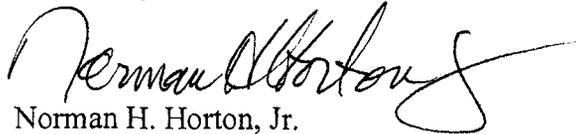
Re: Docket No. 070304-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Public Utilities Company is an electronic version of Florida Public Utilities Company's Motion for Extension of Time in the above referenced docket.

Thank you for your assistance with this filing.

Sincerely yours,



Norman H. Horton, Jr.

NHH/amb

Enclosure

cc: Ms. Cheryl M. Martin
Parties of Record

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase by Florida)
Public Utilities Company)
_____)

Docket No. 070304-EI
Date Filed: October 23, 2007

MOTION FOR EXTENSION OF TIME

COMES NOW Florida Public Utilities Company (“the Company” or “FPUC”), and requests an extension of time to file specific objections to discovery and as basis states:

1. On October 9, 2007, the Citizens served 129 interrogatories and 81 requests for documents on FPUC. Response to these interrogatories and requests are due thirty (30) days from date of service; however Order No. PSC-07-0804-PCO-EI, the Order Establishing Procedure for this docket, requires that specific objections to a discovery request be made within 15 days of service of the discovery request. The effect of this requirement is that objections are due before responses rather than with responses as permitted by the Rules of Civil Procedure.

2. Although the Company has begun the development of responses and accumulating documents for the production, that has not been completed and until that has been accomplished it is difficult to identify specific objections to the numerous requests. Counsel for the Company and Office of Public Counsel (“OPC”) have communicated generally as to potential objections but not as to specific objections. Given the number of discovery requests and the time needed to review and identify specific objections, FPUC would request an extension of time to and including November 5, 2007 in which to file objections.

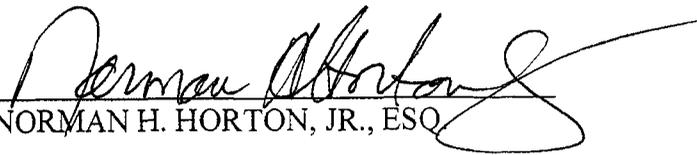
3. Counsel has advised counsel for OPC of this Motion and is authorized to represent that OPC has no objection. The OPC is the only party that has intervened in the rate

case.

Wherefore, Florida Public Utilities Company requests the Commission grant the requested extension.

Respectfully submitted,

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NORMAN H. HORTON, JR., ESQ.

Attorneys for Florida Public Utilities Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been served by electronic mail this 23rd day of October, 2007 upon the following:

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