

Diamond Williams

100315-GU

From: Paxton, Lucinda (CAO) [LPAXT01@miamidade.gov]
Sent: Wednesday, June 30, 2010 1:07 PM
To: Filings@psc.state.fl.us
Cc: Anna Williams; Martha Brown; fself@lawfla.com; Spierce@agresources.com; Gillman, Henry (CAO); Renfrow, John (WASD); Ruiz, Joseph A. (WASD)
Subject: FW: Attached Image
Attachments: MOT EXT OF TIME_001.pdf

Cindy Paxton

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From: Scan (CAO)
Sent: Wednesday, June 30, 2010 1:14 PM
To: Paxton, Lucinda (CAO)
Subject: Attached Image

6/30/2010

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15405 JUN 30
FPSC-COMMISSION CLERK



**COUNTY ATTORNEY
MIAMI-DADE COUNTY, FLORIDA**

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June 30, 2010

Via Electronic Filing

Ms. Ann Cole
Commission Clerk
Office of the Commission Clerk
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 100315-GU

Dear Ms. Cole:

Attached for filing is Miami-Dade County's Unopposed Motion for Extension of Time to Serve Response to Florida City Gas' Motion to Dismiss.

Thank you for your assistance in this filing.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "H. N. Gillman".

Henry N. Gillman
Assistant County Attorney

c: All Parties of Record and
Interested Persons

2010-06-30 10:05 AM - DATE

05405 JUN 30 2010

FPSU-001-105101-CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint by Miami-Dade
County for Order Requiring Florida
City Gas to Show Cause Why Tariff Rate
Should Not be Reduced and for the
Commission to Conduct a Rate Proceeding,
Overearnings Proceeding, or other
Appropriate Proceeding Regarding
Florida City Gas' Acquisition Adjustment

Docket No. 100315-GU

**MIAMI-DADE COUNTY'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO SERVE RESPONSE TO FLORIDA CITY
GAS' MOTION TO DISMISS**

Pursuant to Rule 28-106.204 of the Florida Administrative Code,
Miami-Dade County (the "County"), moves for an extension of time to serve
its Response to Florida City Gas' ("FCG") Motion To Dismiss and in
support of this Motion states as follows:

1. On June 24, 2010, FCG filed a Motion to Dismiss With
Prejudice the County's Complaint for Order Requiring Florida City Gas to
Show Cause Why Tariff Rate Should Not be Reduced and for the
Commission to Conduct a Rate Proceeding, Overearnings Proceeding, or
other Appropriate Proceeding Regarding Florida City Gas' Acquisition
Adjustment.
2. On June 28, 2010, FCG filed a Corrected Motion To Dismiss
that removed the phrase "with prejudice".

3. Rule 28-106.204(1), F.A.C. provides that when time allows, a party may, within 7 days of a written motion, file a response in opposition. The County's response to FCG's Motion is due July 1, 2010.

4. Rule 28-106.204(6) provides that a motion for extension of time shall be filed prior to the expiration of the deadline sought to be extended and shall state good cause for the request.

5. The County seeks to file a response in opposition to FCG's Motion to Dismiss, however, due to the undersigned's conflicts, workload and other pending matters, the County requests that the Presiding Officer grant the County an extension of time of seven (7) days, until July 8, 2010 to file its Response.

6. The County has conferred with FCG's counsel concerning the extension of time and counsel advised that FCG has no objection to the extension.

7. FCG will not suffer any prejudice if this Motion is granted.

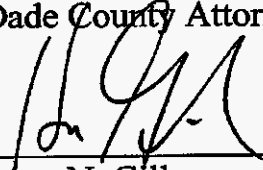
WHEREFORE, the County respectfully requests that the Presiding Officer enter an Order granting the County's Unopposed Motion for Extension of Time and providing the County with an extension of time up to

and including July 8, 2010 to file its Response to FCG's Motion to Dismiss.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney

By: _____


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing
was delivered by email and U.S. Mail this 30th day of
JUNE, 2010 to:

Anna Williams, Esq.
Martha Brown, Esq.
Office of General Counsel
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(Florida Public Service Commission)


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3071 S.W. 38th Avenue, 5th Floor
Miami, FL 33146

By:



Henry N. Gillman
Assistant County Attorney