

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of K W Resort)	
Utilities Corp. against Monroe)	
County, Florida for alleged)	Docket No. 130086-SU
Entitlement to collect certain)	
Capacity reservation fees for)	Filed: July 3, 2013
excess capacity used.)	
_____)	

MONROE COUNTY'S THIRD UNOPPOSED MOTION
FOR EXTENSION OF TIME TO RESPOND TO
K W RESORT UTILITIES CORPORATION'S COMPLAINT

Respondent, Monroe County (the "County"), by and through undersigned counsel and pursuant to Rule 28-106.204(1), Florida Administrative Code ("F.A.C."), hereby requests that the Commission grant the County an extension of time of 60 days up to and including September 6, 2013, to file responsive pleadings to K W Resort Utilities Corporation's ("KWRU") Complaint, and in support thereof states:

1. KWRU initiated this docket by filing its Complaint with the Commission on April 16, 2013. KWRU served the County with an electronic copy of the Complaint at 9:07 p.m. on April 22, 2013. Pursuant to Rule 28-106.204(2), F.A.C., the County had until May 22, 2013, to file pleadings responsive to KWRU's Complaint. On May 8, 2013, the County requested an extension of time to file pleadings responsive to KWRU's Complaint and by Order dated May 23, 2013, the Commission granted the County's request and extended the time to June 6, 2013. On June 3, 2013, the County requested a second extension of time to file pleadings responsive to KWRU's

Complaint and by Order dated June 7, 2013, the Commission granted the County's request and extended the time to July 8, 2013.

Accordingly, this third request for extension of time is timely.

2. The County and KWRU have agreed to the conceptual terms of a settlement that will resolve all issues raised in KWRU's Complaint and thus avoid the need for the County to file pleadings responsive to the Complaint. The County and KWRU are in the process of drafting a settlement agreement which will then be subject to approval by KWRU's board and the County Commission. The County requests an additional extension of time of 60 days (up to and including September 6, 2013) to file pleadings responsive to the Complaint, to work towards finalizing the settlement.

3. Counsel for the County has conferred with counsel for KWRU and counsel for KWRU has represented that KWRU does not oppose the granting of the extension of time requested in this motion.

WHEREFORE, Monroe County respectfully requests that the Commission enter an order granting the County an additional extension of 60 days (up to and including September 6, 2013) to file pleadings responsive to KWRU's Complaint.

Respectfully submitted this 3rd day of July, 2013.

A handwritten signature in blue ink that reads "Robert Scheffel Wright". The signature is written in a cursive style with a horizontal line underneath the name.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following, by electronic mail, on July 3, 2013:

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