

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for modification of territorial order based on changed legal circumstances emanating from Article VIII, Section 2(c) of the Florida Constitution, by the Town of Indian River Shores.

DOCKET NO. 160049-EU
ORDER NO. PSC-16-0130-PCO-EU
ISSUED: March 30, 2016

ORDER GRANTING TOWN OF INDIAN RIVER SHORES'
MOTION FOR ENLARGEMENT OF TIME

On March 4, 2015, the Town of Indian River Shores (Indian River Shores) filed its Petition for Modification of Territorial Order Based on Changed Legal Circumstances Emanating from Article VIII, Section 2(c) of the Florida Constitution. On March 24, 2016, the City of Vero Beach (Vero Beach) filed a Motion to Dismiss Indian River Shores' Petition for Modification of Territorial Order and Alternative Complaint (Motion to Dismiss), and also filed a motion to intervene or, in the alternative, a request to be named a party (Motion to Intervene).

On March 25, 2016, Indian River Shores filed an Unopposed Motion for Enlargement of Time to File a Response to the City of Vero Beach's Motion to Dismiss Indian River Shores' Petition for Modification of Territorial Order and Alternative Complaint. Indian River Shores' Motion for Enlargement of Time asks for additional time to file a response to both Vero Beach's Motion to Dismiss and Motion to Intervene.

Indian River Shores alleges that it will not have adequate time to file a response to the Motion to Dismiss and Motion to Intervene within the 7-day time frame allowed by Rule 28-106.204, Florida Administrative Code, and, accordingly, Indian River Shores requests an enlargement of time through April 7, 2016, to file its response to these motions. Counsel for Indian River Shores states that he has discussed this requested enlargement of time with counsel for Vero Beach and is authorized to represent that Vero Beach does not oppose the request.

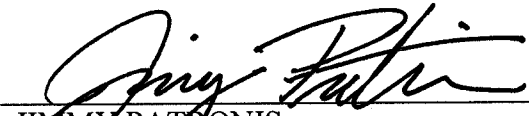
I find that the request for extension of time is reasonable, and it is hereby granted. Indian River Shores shall file its response to Vero Beach's Motion to Dismiss and Motion to Intervene by 5:00 p.m. on April 7, 2016.

Based on the foregoing, it is

ORDERED by Commissioner Jimmy Patronis, as Prehearing Officer, that the Town of Indian River Shores' Unopposed Motion for Enlargement of Time to File a Response to the City of Vero Beach's Motion to Dismiss Indian River Shores' Petition for Modification of Territorial Order and Alternative Complaint is hereby granted. It is further

ORDERED that the Town of Indian River Shores' response to the City of Vero Beach's Motion to Dismiss and Motion to Intervene shall be filed by 5:00 p.m. on April 7, 2016.

By ORDER of Commissioner Jimmy Patronis, as Prehearing Officer, this 30th day of March, 2016.


JIMMY PATRONIS
Commissioner and Prehearing Officer
Florida Public Service Commission
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Tallahassee, Florida 32399
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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 25-22.0376, 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.