

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in wastewater rates
in Monroe County by K W Resort Utilities Corp.

DOCKET NO. 150071-SU

FILED: October 17, 2016

**MOTION FOR EXTENSION OF TESTIMONY FILING DATES ESTABLISHED BY
ORDER NO. PSC-16-0194-PCO-SU**

The members of Harbor Shores Condominium Unit Owners Association Inc. (Harbor Shores), pursuant to Rule 28-106.204, Florida Administrative Code (F.A.C.), hereby file this Motion for Extension of Testimony Filing Dates established by Order No. PSC-16-0194-PCO-SU (OEP), issued May 17, 2016, in this docket. The members of Harbor Shores request that this Motion be granted for good cause, and as grounds state the following:

1. On May 17, 2016, following the timely protest and cross-protest of Proposed Agency Action Order No. PSC-16-0123-PAA-SU, issued March 23, 2016, this Commission issued OEP Order No. PSC-16-0194-PCO-SU, which sets forth the following controlling dates in this docket relate to the filing of testimony:

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| (1) Utility's testimony and exhibits | July 1, 2016 |
| (2) Intervenors' testimony and exhibits | September 9, 2016 Extended to September 15, 2016 |
| (3) Staff's testimony and exhibits, if any | September 23, 2016 |
| (4) Rebuttal testimony and exhibits | October 10, 2106 |

2. On July 1, 2016, KW Resort Utilities Corp (KWRU or Utility) timely pre-filed its testimony and exhibits in this matter.

3. The members of Harbor Shores, representing one of the three intervenor parties in this proceeding, have diligently participated in this case by propounding discovery on the Utility, and preparing to pre-file testimony on September 15, 2016.

4. Pursuant to Rule 28-106.204(4), F.A.C., “Motions 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.” (emphasis added).

Good Cause Shown

5. The Representative of record for Harbor Shores, Ann Aktabowski, was struck with a traumatic medical event in early June of 2016 in the form of a detached retina in her right eye. Since then she has had three surgeries, June 14, August 11 and, most recently, on September 8, all in an effort to reattach the retina. Because of this medical issue she has had limited vision and very restricted activities, including but not limited to, remaining face down for weeks after each surgery, limited reading and computer time to reduce the eye strain, no flying or traveling above 1000ft to avoid pressure changes which could impact the gas bubble and other related procedures.

6. The medical event described above significantly delayed the preparation of pre-filed testimony and exhibits that were scheduled to be filed on Wednesday Friday, September 15, 2016. The modification of testimony filing dates for this Intervenor from Wednesday, September 15, 2016 to October 17, 2016 would grant relief from the hardship caused by the medical event, thus, allowing the members of Harbor Shores to pre-file testimony and exhibits in support of their petition and protest of the PAA Order in this docket.

7. Pursuant to Rule 28-106.204(3), Harbor Shores has attempted to confer with all the Parties of record and Commission legal staff. Counsel for Monroe County And Office of Public Counsel

support the motion. Counsel for KWRU has not responded to the motion. Counsel for Commission legal staff is aware of our late filing request.

WHEREFORE, the Members of Harbor Shores hereby request that the Prehearing Officer grant this Motion for Extension of Testimony Filing Dates established by Order No. PSC-16-0194-PCO-SU.

Respectfully submitted 17th day of October, 2016.

/s/ Ann M. Aktabowski

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Representative for Harbor Shores

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and foregoing MOTION FOR EXTENSION OF TESTIMONY FILING DATES ESTABLISHED BY ORDER NO. PSC-16-0194-PCO-SU furnished by electronic mail on this 17th day of October, 2016, to the following:

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