

Antonia Hover

From: Betty Leland
Sent: Friday, July 17, 2020 12:30 PM
To: Commissioner Correspondence
Subject: FW: SERVICE OF COURT DOCUMENT Docket No. 20190168-WS
Attachments: Unopposed Motion to Stay the Proceedings.pdf

Good Afternoon:

Please this email in Docket #20190168.

Thanks.

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From: Bronwyn Ferrell [mailto:bferrell@sfflaw.com]
Sent: Friday, July 17, 2020 11:59 AM
To: Office of Commissioner Graham; Bianca Lherisson; Jennifer Crawford; JR Kelly; fall-fry.mireille@leg.state.fl.us; Tom Crabb; Susan Clark; broojl@jea.com; Robert Brannan; Bill Sundstrom
Subject: SERVICE OF COURT DOCUMENT Docket No. 20190168-WS

Case Name:	In re: Application for Original Certificate of Authorization and Initial Rates and Charges for Water and Wastewater Service in Duval, Baker and Nassau Counties, Florida by FIRST COAST REGIONAL UTILITIES, INC.
Docket No.:	20190168-WS
Court:	Florida Public Service Commission
Document(s) being served:	Unopposed Motion to Stay the Proceedings Relating to Applicant FCRU's Application
Filer's Name:	Robert C. Brannan, Esquire
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for Original Certificate of Authorization and Initial Rates and Charges for Water and Wastewater Service in Duval, Baker and Nassau Counties, Florida by FIRST COAST REGIONAL UTILITIES, INC.

DOCKET NO. 20190168-WS

**UNOPPOSED MOTION TO STAY THE PROCEEDINGS
RELATING TO APPLICANT FIRST COAST REGIONAL UTILITIES, INC.'S
APPLICATION**

Applicant, First Coast Regional Utilities, Inc., with the agreement of Intervenor JEA (collectively the "Parties"), pursuant to rule 28-106.204, Florida Administrative Code, files this motion ("Motion") to stay the proceedings relating to Applicant's application for original certificate of authorization and initial rates and charges for water and wastewater service in Duval, Baker, and Nassau Counties in Docket 20190168-WS.

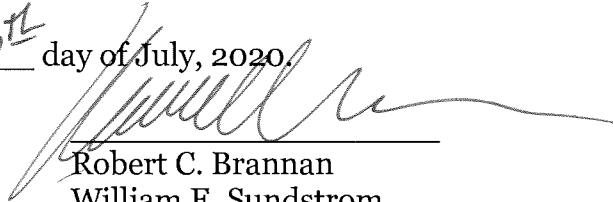
In support, the Applicant states:

1. On August 27, 2019, pursuant to Sections 367.031 and 367.045, Florida Statutes, and Rule 25-30.033, Florida Administrative Code, Applicant filed its Application for Original Certificate of Authorization and Initial Rates and Charges for Water and Wastewater Service in Duval, Baker and Nassau County, Florida ("Application").
2. On December 26, 2019, JEA filed an Objection to the Application ("Objection").
3. On March 4, 2020, counsel for Applicant notified General Counsel that the Parties were at an impasse and requested that the matter be scheduled for hearing.
4. On April 17, 2020, the Commission entered and filed its Order Establishing Procedure ("Order") setting forth the Prehearing Procedures, Hearing Procedures and Post-Hearing Procedures, and setting forth the Controlling Dates to govern the key activities of the case.
5. Pursuant to the Order, the Parties have submitted their testimony and exhibits, have filed and responded to discovery requests, and Applicant is preparing and will file its rebuttal testimony and exhibits on or before July 31, 2020.
6. The State of Florida, including the area in and around Jacksonville (where the subject development and JEA are located and where the majority of the witnesses reside), is currently suffering from the effects of an unprecedented viral pandemic.

7. The Parties have conferred and are in agreement that the current circumstances are adversely impacting their ability to effectuate discovery (particularly witness depositions that would be impracticable to conduct remotely), prevent delay, and promote the just, speedy and inexpensive determination of all aspects of the case, and that a stay of this case for a period of ninety (90) days following Applicant's filing of its rebuttal testimony and exhibits will enable the Parties to more efficiently prosecute this case, and increase the likelihood of a settlement of all issues.
8. Specifically, this Motion requests that the following key activity deadlines (items 5 through 9 in Section VIII of the Order Establishing Procedure) be stayed for ninety (90) days: prehearing statements (item 5), discovery deadline (item 6), prehearing conference (item 7), hearing (item 8) and briefs (item 9). Written discovery in this case may continue notwithstanding the stay of the above key activity deadlines.
9. Counsel for JEA has reviewed this Motion and agrees to the relief sought.

WHEREFORE, the Applicant with the agreement of JEA requests that the Commission: (i) grant this Motion; (ii) stay all key activities in this case as described above for a period of ninety days following the filing of Applicant's rebuttal testimony and exhibits; and (iii) amend the Order Establishing Procedure accordingly.

Respectfully submitted this 17th day of July, 2020.



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Attorneys for First Coast Regional Utilities, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished via electronic mail to the following this 17th day of July, 2020.

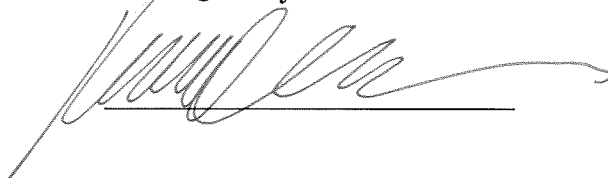
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A handwritten signature in black ink, appearing to read 'Thomas A. Crabb', is written over a horizontal line.