BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

|  |  |
| --- | --- |
| In re: Application for certificate to provide wastewater service in Charlotte County by Environmental Utilities, LLC. | DOCKET NO. 20240032-SU  ORDER NO. PSC-2024-0443-PCO-SU  ISSUED: October 14, 2024 |

FIRST ORDER MODIFYING ORDER ESTABLISHING PROCEDURE AND

ORDER GRANTING JOINT MOTION FOR CONTINUANCE OF TESTIMONY

The Order Establishing Procedure[[1]](#footnote-1) (OEP), issued on August 12, 2024, established controlling dates for this docket. On October 2, 2024, Little Gasparilla Island Preservation Alliance, Inc.; Palm Island Estates Association, Inc.; and Linda Cotherman (Movants) filed a Joint Motion for Continuance of Testimony and Exhibit Deadline due to the effects of Hurricane Helene. On October 3, 2024, the Movants filed a Notice of Conferral representing that Environmental Utilities, LLC does not object to the motion.

The reasons set forth in the motion constitute good cause for an extension of time as required by Rule 28-106.204(4), Florida Administrative Code. At this time, it is necessary to modify the OEP to establish new controlling dates. In light of the compressed timeline, it is also appropriate to modify the rebuttal testimony response time established in Section IV.A.6 from 14 days to 12 days.

As such, Section VIII of the OEP shall be modified and the following due dates are hereby established to govern the key activities of this case:

|  |  |  |
| --- | --- | --- |
| **Activity** | **Current Deadline** | **New Deadline** |
| Intervenors’ Testimony and Exhibits | October 18, 2024 | November 1, 2024 |
| Staff’s Testimony and Exhibits | October 25, 2024 | November 8, 2024 |
| Rebuttal Testimony and Exhibits | November 22, 2024 | December 6, 2024 |
| Discovery Deadline | January 3, 2025 | January 6, 2025 |
| Prehearing Statements | January 6, 2025 | January 7, 2025 |
| Prehearing Conference | January 14, 2025 | January 14, 2025 (unchanged) |
| Provision of Cross Exhibits | January 21, 2025 | January 21, 2025 (unchanged) |
| Hearing | January 28-30, 2025 | January 28-30, 2025 (unchanged) |

Based on the foregoing, it is

ORDERED by Commissioner Gabriella Passidomo, as Prehearing Officer, that the Joint Motion for Continuance of Testimony is granted as set forth herein. It is further

ORDERED that Order No. PSC-2024-0324-PCO-SU is modified as set forth in the body of this order. It is further

ORDERED that Order No. PSC-2024-0324-PCO-SU is reaffirmed in all other respects.

By ORDER of Commissioner Gabriella Passidomo, as Prehearing Officer, this 14th day of October, 2024.

|  |  |
| --- | --- |
|  | /s/ Gabriella Passidomo |
|  | Gabriella Passidomo  Commissioner and Prehearing Officer |

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413‑6770

www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

MRT

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.

1. Order No. PSC-2024-0324-PCO-SU. [↑](#footnote-ref-1)