

MEMORANDUM

FEBRUARY 17, 1997

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FPSC-RECORDS/REPORTING

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (REYES) *are jfs*
RE: DOCKET NO. 960546-WS - APPLICATION FOR CERTIFICATE TO
PROVIDE WATER AND WASTEWATER SERVICE IN MARION COUNTY BY
GOLDEN OCALA UTILITIES, INC.

0184-8

Attached is an ORDER GRANTING MOTION FOR CONTINUANCE to
be issued in the above-referenced docket. (Number of pages in
Order - 3)

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BLR/dp

Attachment

cc: Division of Water and Wastewater (Golden, Redemann, Walker)

I: 960546OR.BLR

MUST GO TODAY

*2/10
for
review*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 960546-WS
certificate to provide water and) ORDER NO. PSC-97-0184-PCO-WS
wastewater service in Marion) ISSUED: February 18, 1997
County by Golden Ocala)
Utilities, Inc.)

ORDER GRANTING MOTION FOR CONTINUANCE

On April 30, 1996, Golden Ocala Utilities, Inc., (Golden Ocala) filed an application for certificate to provide water and wastewater service in Marion County. On May 24, 1996, Utilities Inc. of Florida objected to Golden Ocala's application. Accordingly, the matter was scheduled for hearing. Order No. PSC-96-0937-PCO-WS, issued July 19, 1996, established the dates and procedure to govern the key activities of this case. A prehearing conference is scheduled for May 5, 1997, and a formal hearing is scheduled to be held May 16, 1997. On January 13, 1997, Golden Ocala filed a Motion for Continuance of Hearing. No responses or objections to the motion have been filed.

Golden Ocala states in its motion that it has reached a tentative, verbal agreement with Marion County (County) for the County to provide all water and wastewater services to its proposed service territory. Golden Ocala further states that it is currently in the process of reducing the terms and conditions of that agreement to writing. Golden Ocala asserts that if a formal agreement is executed, it will voluntarily withdraw its application for a water and wastewater certificate. Because the formal agreement has not yet been executed, Golden Ocala asserts that it would be imprudent to withdraw its application at this time. Golden Ocala requests that the hearing on this matter be continued until such time as it requests the hearing to be rescheduled and that all proceedings, discovery, and other required actions and procedures be suspended until such time as a hearing on the application is rescheduled.

It appears that a reasonable effort among the parties is being made to resolve this matter. In consideration of the foregoing, Golden Ocala's Motion for Continuance is granted for a period of sixty days. Golden Ocala shall notify the Commission of the status of this matter at the end of the sixty days so that appropriate action may be taken.

Based on the foregoing, it is

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORDER NO. PSC-97-0184-PCO-MS
DOCKET NO. 960546-MS
PAGE 2

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Motion for Continuance filed by Golden Ocala Utilities, Inc., is hereby granted to the extent described herein. It is further

ORDERED that Golden Ocala Utilities, Inc., shall notify the Commission of the status of this matter within sixty days of the date of issuance of this Order so that appropriate action may be taken.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 18th day of February, 1997.


DIANE K. KIESLING, Commissioner and
Prehearing Officer

(S E A L)

BLR

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.

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, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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

ORDER NO. PSC-97-0184-PCO-MS
DOCKET NO. 960546-MS
PAGE 3

reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.