

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment
of Certificate No. 427-W to add
territory in Marion County by
Windstream Utilities Company.

DOCKET NO. 960867-WU
ORDER NO. PSC-97-0605-PCO-WU
ISSUED: May 27, 1997

ORDER GRANTING JOINT MOTION FOR CONTINUANCE

By Order No. PSC-97-0470-FOF-WU, issued April 23, 1997, this Commission granted Marion County's (the County) petition to intervene in this case, and on its own motion, decided to hold a hearing. Accordingly, this matter is currently scheduled for a prehearing on May 28, 1997, and formal hearing on June 17, 1997.

On May 22, 1997, the County and Windstream Utilities Company (Windstream) filed a Joint Motion for Continuance of the prehearing and hearing for purpose of settling this matter. The parties state that their respective representatives have developed a settlement proposal which has been agreed to by Windstream, and which will be presented to the Marion County Board of County Commissioners for approval and execution at their meeting on June 3, 1997. The parties state that there is a substantial possibility that this matter can be completely settled short of hearing.

After reviewing the motion, I find it appropriate to grant the parties' request to continue the prehearing and hearing to allow the parties time to settle their dispute. Accordingly, this case is hereby continued for a period of at least 30 days, after which time, if no settlement has been reached, the prehearing and hearing will be rescheduled, and a subsequent order issued establishing the dates for key activities in the case.

Based on the foregoing, it is

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that Windstream Utilities Company's and Marion County's Joint Motion for Continuance is hereby granted as set forth in the body of this Order.

DOCUMENT NUMBER-DATE

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By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 27th day of May, 1997.



SUSAN F. CLARK
Commissioner and Prehearing Officer

(S E A L)

DCW

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 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.