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ORIGINAL  
RECORDS AND  
REPORTING

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October 26, 2000

Ms. Blanca S. Bayó, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

RE: Docket No. 970409-SU

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of a Second Joint Motion for Abatement and Continuance for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

Robert D. Vandiver  
Associate Public Counsel

RDV/dsb  
Enclosures

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13749 OCT 26 8

FPSC-RECORDS/REPORTING

ORIGINAL

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Initiation of limited proceeding )  
to restructure wastewater rates for )  
Florida Water Service Corporation's )  
Tropical Isles service area in St. Lucie )  
County. )  
\_\_\_\_\_ )

Docket No. 970409-SU

Filed: October 26, 2000

**SECOND JOINT MOTION FOR ABATEMENT AND CONTINUANCE**

The Office of Public Counsel ("OPC") and Florida Water Services Corporation ("Florida Water"), by and through their respective undersigned counsel, hereby move for an abatement and continuance of this proceeding, and as grounds therefor state as follows:

1. This docket was opened to investigate the possibility of implementing a rate structure other than the flat monthly rate currently charged by Florida Water and to determine whether it was feasible to restructure Florida Water's wastewater rates for the Tropical Isles service area.

2. Pursuant to Proposed Agency Action Order No. PSC-00-0526-PAA-SU ("PAA Order") issued March 13, 2000, the Commission proposed a base facility gallonage charge rate structure and declined to change the revenue requirement for the Tropical Isles customers.

3. Following the issuance of the PAA Order, protests were filed by a Tropical Isles customer protesting the Commission's decision to change from a flat rate to a base facility and gallonage charge rate structure and raising revenue requirements related issues.

4. In Order No. PSC-00-1197-PCO-SU, issued July 3, 2000, the Prehearing Officer granted a Joint Motion for Abatement and Continuance. The basis for this Order was that representatives of Florida Water, OPC and Tropical Isles customers had been meeting to attempt to reach an agreement on the sale of Florida Water's facilities to an exempt group comprised of/or

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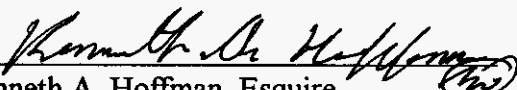
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controlled by the Tropical Isles customers. The parties filed a Joint Progress Report on July 28, 2000.

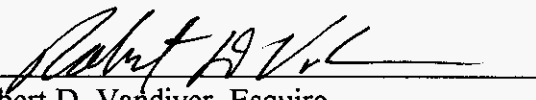
5. These negotiations continue and both OPC and Florida Water continue to believe the purchase will be consummated in the near future. The parties are very close to resolution of all outstanding issues. In an abundance of caution, to avoid any further continuances, the parties believe a ninety day period will be sufficient to completely resolve this matter. OPC and Florida Water assert that the time and resources of the parties, the Commission and its staff would be conserved by abatement and continuance of this proceeding pending the disposition and closure of the sale of the Tropical Isles facilities.

WHEREFORE, for the above reasons, OPC and Florida Water request the Prehearing Officer enter an Order granting an abatement and continuance of this proceeding for a ninety day period.

Respectfully submitted,

  
Kenneth A. Hoffman, Esquire  
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Services Corporation

  
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Attorneys for Citizens of the State of Florida

**CERTIFICATE OF SERVICE**


I HEREBY CERTIFY that a copy of the foregoing Second Joint Motion for Abatement and Continuance was furnished by U.S. Mail to the following this 26th day of October, 2000:

Kenneth A. Hoffman, Esquire  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
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Fort Pierce, FL 34982

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\_\_\_\_\_  
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