

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Public Utilities Company.

DOCKET NO. 070304-EI
ORDER NO. PSC-07-0861-PCO-EI
ISSUED: October 26, 2007

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On October 23, 2007, Florida Public Utilities Company (FPUC) filed a motion for extension of time to file specific objections to discovery filed by the Office of Public Counsel (OPC) on October 9, 2007. FPUC states that OPC served 129 interrogatories and 81 requests for documents on that date. Responses to the interrogatories and requests are due (30) days from the date of service, but Order No. PSC-07-0804-PCO-EI, the Order Establishing Procedure for this docket, requires that specific objections to a discovery request be made within 15 days of service of the discovery request.

FPUC states that it has begun the development of responses and accumulating documents for the production, but this has not been completed. FPUC further states that it is difficult to identify specific objections to the numerous requests until it has developed its responses and accumulated the documents for the production. FPUC asserts that counsel for FPUC and OPC have communicated generally as to potential objections but not as to specific objections. Given the number of discovery requests and the time needed to review and identify specific objections, FPUC requests an extension of time until November 5, 2007, in which to file objections.

FPUC asserts that it has advised counsel for OPC of FPUC's Motion for Extension of Time and was authorized to represent that OPC has no objection.

Upon consideration, I find it reasonable and appropriate to grant FPUC's Motion for Extension of Time. FPUC shall file any objections to the discovery requests by November 5, 2007.

Based on the foregoing, it is

ORDERED that Florida Public Utilities Company's Motion for Extension of Time is granted. It is further

ORDERED that Florida Public Utilities Company shall file any objections to the discovery requests by November 5, 2007.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner Nancy Argenziano, as Prehearing Officer, this 26th day of October, 2007.



NANCY ARGENZIANO
Commissioner and Prehearing Officer

(S E A L)

MCB

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 25-22.060, 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.