

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Stephen J. Faherty and
Glenn Fraser Heran against the City of Vero
Beach for unfair electric utility rates and
charges.

DOCKET NO. 090524-EM
ORDER NO. PSC-11-0375-PC0-EM
ISSUED: September 9, 2011

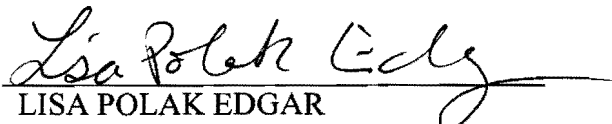
ORDER GRANTING JOINT MOTION TO CONTINUE IN ABEYANCE

On September 7, 2011, Stephen J. Faherty, Glenn Fraser Heran (Complainants), and the City of Vero Beach (City), the parties to this complaint docket, filed a joint motion to continue the docket in abeyance until approximately June 29, 2012. The City is currently reviewing a possible sale of the City's electric utility to Florida Power & Light Company (FPL), which could affect the issues the Complainants have raised in the case. The parties assert that an abeyance will allow them to concentrate on the negotiations and possible sale to FPL. The parties also agree that continuance of the abeyance will not adversely affect their procedural rights in the complaint docket.

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that the Joint Motion to Continue in Abeyance, filed by Stephen J. Faherty and Glenn Fraser Heran and the City of Vero Beach, is granted until June 29, 2012.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 9th day of September, 2011.



LISA POLAK EDGAR
Commissioner and Prehearing Officer
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MCB

DOCUMENT NUMBER-DATE

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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.