

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment
of Certificates Nos. 404-W and
341-S in Orange County by
Wedgefield Utilities, Inc.

DOCKET NO. 960283-WS

In re: Application for transfer
of Certificates Nos. 404-W and
341-S in Orange County from Econ
Utilities Corporation to
Wedgefield Utilities, Inc.

DOCKET NO. 960235-WS
ORDER NO. PSC-97-0953-PCO-WS
ISSUED: August 11, 1997

ORDER GRANTING MOTION FOR CONTINUANCE

On February 27, 1996, Wedgefield Utilities, Inc. (Wedgefield or utility) filed an application for the transfer of Certificates Nos. 404-W and 341-S from Econ Utilities Corporation (Econ) to Wedgefield. On March 5, 1996, Wedgefield filed an application for amendment of Certificates Nos. 404-W and 341-S to include additional territory in Orange County. In Order No. PSC-96-1241-FOF-WS, issued October 7, 1996, this Commission, by final agency action, approved the transfer and granted the amendment of the certificates to include the additional territory requested. By that same order, the Commission, by proposed agency action, established rate base for purposes of the transfer.

The Office of Public Counsel (OPC) timely protested the order, and accordingly, by Order No. PSC-96-1533-PCO-WS, issued December 17, 1996, this matter was scheduled for an April 29, 1997 hearing in Orange County. By Order No. PSC-97-0070-PCO-WS, issued January 22, 1997, the matter was continued, and the hearing rescheduled for August 19, 1997. On August 1, 1997, Wedgefield filed a Motion for Continuance of Hearing, along with a Verified Petition and Suggestion of Disqualification. The OPC has filed no objection to the motion.

Wedgefield states in its motion that it believes that all necessary action on its Petition and Suggestion of Disqualification can be completed prior to the currently scheduled hearing date of August 19, 1997. However, in the event that all necessary action cannot be completed prior to the hearing, Wedgefield requests a continuance of hearing to an appropriate date in the future. Wedgefield asserts that none of the parties and none of the customers would be prejudiced by a continuance of the hearing.

DOCUMENT NUMBER-DATE

08109 AUG 11 97

FPSC-RECORDS/REPORTING

By Order No. PSC-97-0949-PCO-WS, issued August 7, 1997, Commissioner Deason found Wedefield's Verified Petition and Suggestion of Disqualification to be legally insufficient and declined to withdraw from this proceeding. Pursuant to Rule 25-21.004, Florida Administrative Code, if a Commissioner declines to withdraw from the proceeding, a majority vote of a quorum of the full Commission, absent the affected Commissioner, shall decide the issue of disqualification. Therefore, this issue must now be presented to the full Commission for a decision before this matter may proceed to hearing. The earliest agenda conference at which this issue could be considered is August 18, 1997, and the hearing may need to be rescheduled based on the Commission's decision at that time. Therefore, in order to afford the customers adequate notification of a cancellation and rescheduling of the hearing, it appears reasonable and prudent to continue the hearing at this time.

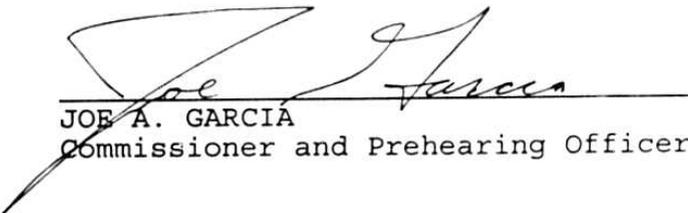
In consideration of the foregoing, Wedgefield's Motion for Continuance is granted. Accordingly, with the approval of the Chairman, the August 19, 1997 hearing is hereby cancelled. A new hearing date will be established by separate Order.

Based on the foregoing, it is

ORDERED by Commissioner Joe A. Garcia, as Prehearing Officer, that the Motion for Continuance filed by Wedgefield Utilities, Inc. is hereby granted to the extent described herein. It is further

ORDERED that the August 19, 1997 hearing is hereby cancelled.

By ORDER of Commissioner Joe A. Garcia, as Prehearing Officer, this 11th day of August, 1997.



JOE A. GARCIA
Commissioner and Prehearing Officer

(S E A L)

JSB/BLR

ORDER NO. PSC-97-0953-PCO-WS
DOCKETS NOS. 960283-WS, 960235-WS
PAGE 3

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.