

MEMORANDUM

August 11, 1997

RECEIVED

AUG 11 1997

4:15
FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (VACCARO, ^{CF}FERGUSON)

RE: DOCKET NO. 960329-WS - Application for increase in rates and service availability charges in Lee County by Gulf Utility Company

DOCKET NO. 960234-WS - Application of Gulf Utility Company for an increase in wastewater rates, approval of a decrease in water rates and approval of service availability charges in Lee County, Florida

0957-PCD

Attached is an Order Granting Motion for Extension of Time, with attachments, to be issued in the above referenced docket. (Number of pages in Order - 3)

2000

CF/dp

Attachment

cc: Division of Water & Wastewater (Willis, Crouch, Fuchs, Galloway, Merchant, Rendell, VonFossen, Webb, Xanders)

I: 960234OR.CF

2/1

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase
in rates and service
availability charges in Lee
County by Gulf Utility Company

DOCKET NO. 960329-WS

In re: Investigation of rates of
Gulf Utility Company in Lee
County for possible overearnings

DOCKET NO. 960234-WS
ORDER NO. PSC-97-0957-PCO-WS
ISSUED: August 12, 1997

ORDER GRANTING MOTION FOR EXTENSION OF TIME

By Order No. PSC-97-0847-FOF-WS issued July 15, 1997, the Commission set rates and charges for Gulf Utility Company (Gulf). On July 30, 1997, Gulf timely filed a Motion for Reconsideration. Pursuant to Rule 25-22.060, Florida Administrative Code, responses are due on August 6, 1997. On July 31, 1997, the Office of Public Counsel (OPC) filed a Motion for Extension of Time to file its response on behalf of the citizens of the State of Florida (Citizens).

In its Motion, OPC asserts that Citizens' counsel will be out of town until August 7, 1997. OPC states that a proper response to Gulf's Motion can be prepared and filed on or before 5:00 P.M., August 11, 1997. Finally, OPC states that, citizens' counsel has consulted with counsel for Gulf, who expressed no opposition to this motion.

Because citizens' counsel will be out of town until August 7, 1997, and counsel for Gulf does not oppose OPC's motion, it is reasonable to grant OPC's Motion for Extension of Time. Therefore, OPC's Motion for Extension of Time is hereby granted, and the date for filing a response to Gulf's Motion for Reconsideration is extended until 5:00 P.M., August 11, 1997.

DOCUMENT NUMBER-DATE

08150 AUG 12 6

FPSC-RECORDS/REPORTING

ORDER NO. PSC-97-0957-PCO-WS
DOCKETS NOS. 960329-WS, 960234-WS
PAGE 2

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing officer, that the Motion for Extension of Time filed by the Office of Public Counsel is granted. It is further

ORDERED that the date for filing a response to Gulf's Motion for Reconsideration is extended until 5:00p.m. August 11, 1997.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 12th day of August, 1997.



J. Terry Deason
Commissioner and Prehearing Officer

(S E A L)

CF/TV

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, 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.