

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by D.R. Horton
Custom Homes, Inc. against
Southlake Utilities, Inc. in
Lake County regarding collection
of certain AFPI charges.

DOCKET NO. 980992-WS
ORDER NO. PSC-98-1209-PCO-WS
ISSUED: September 11, 1998

ORDER GRANTING MOTION FOR EXTENSION OF TIME


On August 28, 1998, Southlake Utilities, Inc., (Southlake) requested additional time, until September 4, 1998, in which to file a responsive pleading to the complaint filed by D.R. Horton Custom Homes, Inc., (Horton).

Pursuant to Uniform Rule 28-106.203, Florida Administrative Code, a respondent may file an answer to a petition. The Uniform Rule is silent as to the appropriate time period for filing a response. Pursuant to Uniform Rule 28-106.211, Florida Administrative Code, the presiding officer before whom the case is pending may issue any order necessary to prevent delay of the case. Southlake's request to file its response on September 4, 1998, is reasonable and will not prejudice the rights of any of the parties. Therefore, Southlake's Motion for Extension of Time is granted.

Based on the foregoing, it is

ORDERED by Commissioner Joe Garcia that Southlake Utilities, Inc.'s Motion for Extension of Time to file a responsive pleading to the complaint filed by D.R. Horton Custom Homes, Inc., is hereby granted.

By ORDER of Commissioner Joe Garcia as Prehearing Officer, this 11th day of September, 1998.



JOE GARCIA
Commissioner and Prehearing Officer

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ORDER NO. PSC-98-1209-PCO-WS
DOCKET NO. 980992-WS
PAGE 2

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.