

ORIGINAL



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RECORDS AND  
REPORTING

December 22, 1999

Ms. Blanca S. Bayó, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

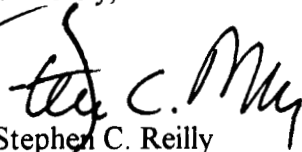
RE: Docket No. 971179-SU

Dear Ms. Bayó:

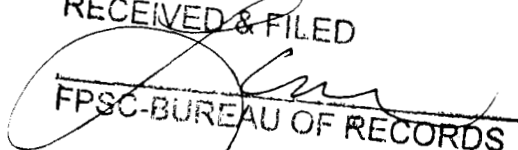
Enclosed are an original and fifteen copies of a Motion to Extend Time to File Testimony for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

  
Stephen C. Reilly  
Associate Public Counsel

AFA	1
APP	SCR/dsb
CAF	Enclosures
CMJ	_____
CTR	_____
EAG	_____
LEG	_____
MAS	3
OPC	_____
RRR	_____
SEC	_____
WAW	_____
OTH	_____

RECEIVED & FILED  
  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

~~15656~~ DEC 22 99

FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Disposition of Gross-up )  
Funds collected by North Ft. )  
Myers Utility, Inc., in Lee County )  
\_\_\_\_\_ )

Docket No. 971179-SU  
Filed: December 22, 1999

MOTION TO EXTEND TIME TO FILE TESTIMONY

The Citizens of the State of Florida, ("Citizens"), by and through their undersigned attorney, respectfully request the Commission to grant the Citizens an extension of time to file its testimony, from the scheduled deadline of December 30, 1999 to Friday, January 7, 2000. In support of this request the Citizens state:

1. The Commission's Order No. PSC-99-1433-PCO-SU establishing procedure in this docket set December 30, 1999 as the deadline for the Citizens to file its direct testimony and exhibits.
2. Citizens First Set of Interrogatories and First Request for Production of Documents to North Fort Myers Utility, Inc., ("NFMU", "Utility" or "Company") were propounded to NFMU on October 19, 1999. Responses to both sets of discovery were due to be received by the Citizens on or before November 18, 1999. Circumstances prevented NFMU from being able to provide its responses to the Citizens' interrogatories until December 3, 1999, and it was not until the week of December 13 through 17, 1999 that the requested documents were available for inspection and copying at the office of the Utility's attorney.
3. With the Company having filed its initial testimony and exhibits on November 23, 1999, with the belated receipt of the Citizens' initial discovery, and with the added disruption of the Thanksgiving and Christmas holidays, the Citizens request the few additional days to prepare and file its direct testimony and exhibits.

DOCUMENT NUMBER-DATE

15656 DEC 22 99

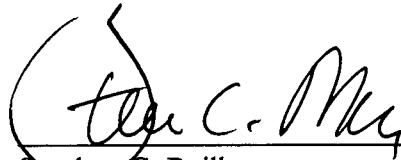
FPSC-RECORDS/REPORTING

4. The Commission's Staff has no objection to the Citizens' request if the deadline for the Staff's testimony can be pushed back from January 24, 2000 to January 31, 2000, and the deadline for rebuttal testimony and exhibits pushed back from February 18, 2000 to February 25, 2000.

5. NFMU has also indicated that it has no objection to the Citizens' request if the deadlines for Staff's testimony and rebuttal testimony are pushed back a week, as suggested by the Commission's Staff.

WHEREFORE, for the reasons stated above, the Citizens respectfully request that the deadline for the Citizens to file its direct testimony and exhibits in this docket be extended from December 30, 1999 to January 7, 2000, and that the Staff's deadline to file its testimony be extended from January 24, 2000 to January 31, 2000, and that the deadline for rebuttal testimony and exhibits be extended from February 18, 2000 to February 25, 2000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen C. Reilly", is written over a horizontal line.

Stephen C. Reilly  
Associate Public Counsel

Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street, Room 812  
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(850) 488-9330

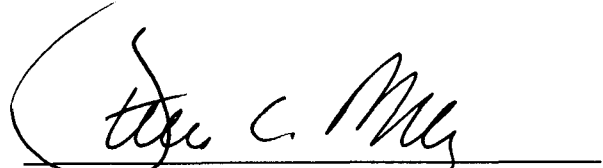
Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 971179-SU**

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Extend Time to File Testimony has been furnished by U.S. Mail or \*hand-delivery to the following parties on this 22nd day of December, 1999:

F. Marshall Deterding, Esquire  
Rose Law Firm  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301

Ralph Jaeger, Esquire\*  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

  
\_\_\_\_\_  
Stephen C. Reilly  
Associate Public Counsel