

Ruth Nettles

From: DAVIS.PHYLLIS [DAVIS.PHYLLIS@leg.state.fl.us]
Sent: Friday, August 03, 2007 2:37 PM
To: Filings@psc.state.fl.us
Cc: P.C.Flynn@uiwater.com; gvperko@hgslaw.com; mfriedman@rsbattorneys.com; Katherine Fleming; REILLY.STEVE
Attachments: 060257 Motion for Abatement and Continuance 080207.doc1.pdf

ORIGINAL

Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 060257-WS

In re: Application for increase in water and wastewater rates in Polk County by Cypress Lakes Utilities, Inc.

c. There are a total of 4 pages.

d. The documents attached for electronic filing are Citizens' Motion for Abatement and Continuance.

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8/3/2007

DOCUMENT NUMBER-DATE
06703 AUG-3 5
COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In Re: Application for increase in water)	
and wastewater rates in Polk County by)	DOCKET NO. 060257-WS
Cypress Lakes Utilities, Inc.)	
_____)	FILED: August 3, 2007

MOTION FOR ABATEMENT AND CONTINUANCE

The Office of Public Counsel ("OPC"), Cypress Lakes Utilities, Inc. ("CLUI") and Cypress Lakes Associates, Ltd. ("CLAL"), by and through their undersigned attorneys, move this Commission to abate this proceeding and for a continuance of the scheduled actions set forth in Commission Order No. PSC-07-0597-PCO-WS, Revised Order Establishing Procedure, and in support thereof state:

1. CLAL and OPC filed a timely Petition and Cross-Petition, respectively, protesting portions of PAA Order PSC-07-0199-PAA-WS ("Order").
2. OPC, CLUI and CLAL have engaged in negotiations to resolve the Petition and Cross-Petition. As a result of these negotiations OPC, CLUI and CLAL have agreed to the essential provisions of a Settlement Agreement to resolve the Petition and Cross-Petition.
3. OPC, CLUI and CLAL hereby request the Pre-Hearing Office to issue an order to hold this proceeding in abeyance and to continue all scheduled actions set forth in Order No. PSC-07-0597-PCO-WS, in order to provide the parties with additional time to finalize a Settlement Agreement, and to provide OPC with the time necessary to secure approval of the Settlement Agreement from the customers.

DOCUMENT NUMBER-DATE

06703 AUG-30

FPSC-COMMISSION CLERK

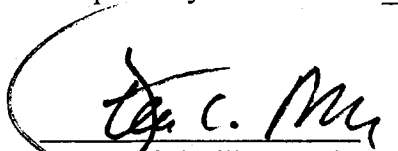
4. It is in the interests of all of the parties and the Commission's Staff not to incur any more time or expense in preparing for hearing. The parties desire to devote themselves to finalize the Settlement Agreement and to secure approval of the Agreement from the customers.

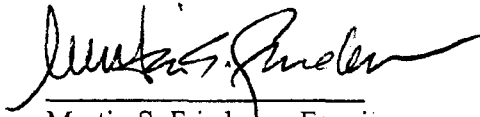
5. Once the Settlement Agreement has been fully executed the parties will seek approval of the Agreement from the Commission. Approval of the Settlement Agreement will finalize the terms of Order No. PSC-07-0597-PCO-WS, and Docket No. 060257-WS can be closed.

6. The Commission's Staff supports this motion.

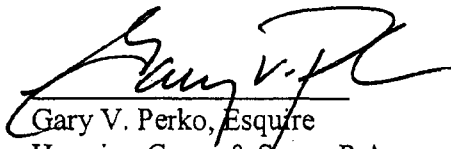
WHEREFORE, OPC, CLUI and CLAL respectfully request the Prehearing Officer to issue an order to hold this proceeding in abeyance, and to continue all scheduled actions set forth in Order No. PSC-07-0597-PCO-WS, indefinitely, in order to facilitate the settlement of both the Petition and Cross-Petition filed in this proceeding.

Respectfully submitted this 3rd day of August, 2007, by:


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On behalf of the Citizens
of the State of Florida



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On behalf of the Cypress Lakes Utilities, Inc.

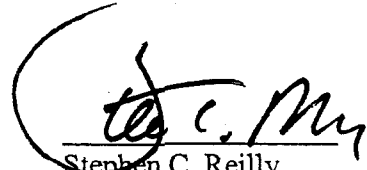


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On behalf of the Cypress Lakes Associates, Ltd.

CERTIFICATE OF SERVICE
DOCKET NO. 060257-WS

I HEREBY CERTIFY that a true and correct copy of the foregoing has been
furnished by electronic and U.S. Mail this 3rd day of August, 2007:

Katherine Fleming, Esquire
OFFICE OF THE GENERAL COUNSEL
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399


Stephen C. Reilly
Associate Public Counsel