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Subject: Docket No. 110022-WS - Equity LifeStyle Properties, Inc., HV Utility Systems, L.L.C. - Unopposed Motion for Extension of Time to File Motion to Dismiss

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Docket No.:

Docket No. 110022-WS – Application for certificate to operate water utility in Pasco County by Equity LifeStyle Properties, Inc., HV Utility Systems, L.L.C.

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Unopposed Motion for Extension of Time to File Motion to Dismiss

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DOCUMENT NUMBER-DATE

05268 JUL 28 =

7/28/2011

FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA

Application for certificate to operate water utility in Pasco County by HV Utility Systems, L.L.C.

Docket No. 110022-WS

Filed: July 28, 2011

UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE MOTION TO DISMISS

Pursuant to Rule 28-106.204, Fla. Admin. Code, Equity LifeStyle Properties ("ELS"), by and through its counsel, hereby respectfully requests that the Florida Public Service Commission grant an extension of time to and including September 15, 2011 to file a Motion to Dismiss each Objection to the Proposed Utility and Petition For Formal Administrative Hearing ("Objection") filed on July 13, 2011, by, respectively, Pasco County ("County") and The City of New Port Richey ("City") (collectively, the "Joint Petitioners").¹ In support of this Motion, ELS states as follows:

1. ELS filed its Application for Certificate to Operate Water Utility in Pasco County by HV Utility Systems, L.L.C., in this proceeding on January 7, 2011. On June 10, 2010, ELS forwarded by mail a copy of the Notice of Application, attached as Exhibit 1, to County and the City.

2. On July 13, 2011, the Joint Petitioners filed their Objections to the application and requested an administrative hearing.

3. On July 27, 2011, ELS and the Joint Petitioners met informally to discuss the Objections. The parties discussed the potential issues and agreed to continue discussions in an effort to resolve issues raised.

4. During the meeting on July 27, 2011, ELS discussed its intention to file a Motion to Dismiss the Objections. Pursuant to Rule 28-106.204(2), Fla. Admin. Code, a Motion to Dismiss must be filed within twenty (20) days following service of a Petition for Administrative Hearing. ELS advised it would be willing to seek an extension of time to file a Motion to Dismiss and representatives of the City and County agreed to support such a Motion.

5. During the meeting held with the Joint Petitioners on July 27, 2011, counsel for ELS, pursuant to Rule 28-106.204(3), Fla. Admin. Code, specifically conferred with counsel of record for the Joint Petitioners regarding its intent to file a motion to extend its time to file a motion to dismiss. Counsel of record for the Joint

¹ The County and City each filed on its own behalf a separate Objection, but they are substantially similar and raise the same issues.

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Petitioners noted on behalf of their clients that they would support a motion for a six-week extension of time. Counsel for ELS also contacted counsel in the Office of Public Counsel ("OPC") regarding this motion and is authorized to report that OPC does not object.

WHEREFORE, ELS respectfully requests that, for good cause shown, the Commission grant an extension of time to and including September 15, 2011 for ELS to file a motion to dismiss the pending Objections. If ELS's motion is denied, ELS requests that the order denying the motion provide ELS with seven days to file its motion to dismiss.

DATED this 28th day of July 2011.

By: s/ Michael G. Cooke
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**CERTIFICATE OF SERVICE
DOCKET NO. 110022-WS**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery and/or U.S. Mail this 28th day of July, 2011, to the following:

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