

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the billing practices of  
K W Resort Utilities Corp. in Monroe County.

DOCKET NO. 20170086-SU  
ORDER NO. PSC-2018-0514-PCO-SU  
ISSUED: October 24, 2018

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On August 31, 2018, the Commission issued Proposed Agency Action Order No. PSC-2018-0444-PAA-SU (PAA Order), requiring K W Resort Utilities Corp. (KWRU) to show cause why it should not be fined a penalty in the amount of \$10,000.00 for its violation of Sections 367.081(1) and 367.091(3), Florida Statutes (F.S.), and for KWRU to issue certain specified refunds to its customers, Safe Harbor Marina and Sunset Marina. On September 21, 2018, the Office of Public Counsel (OPC) filed a petition requesting an evidentiary hearing on the protested portions of the PAA Order (Petition). Subsequently, on October 1, 2018, KWRU filed a Motion to Dismiss, or in the Alternative to Strike the Petition (Motion to Dismiss). Also, on that date, KWRU filed a cross-motion for a formal administrative hearing protesting the PAA Order.

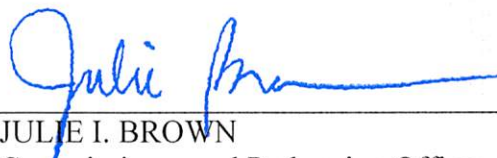
On October 7, 2018, the Governor of Florida issued Executive Order 18-276, which declared a state of emergency in 26 Florida counties (including Leon County, which is where the Commission's primary offices are located) in preparation for a tropical weather system that would eventually become Hurricane Michael. On October 16, 2018, OPC filed a Motion for Extension of Time (Motion) to respond to KWRU's Motion to Dismiss. In its Motion, OPC requests an extension to file its response through October 22, 2018, since it was unable to request an extension of time or respond to KWRU's Motion to Dismiss within the 7-day period as specified in Rule 28-106.204, Florida Administrative Code, as a result of the state of emergency that was declared for Leon County. OPC represents that KWRU does not object to the extension, and Monroe County supports the Motion.

Upon consideration, the Motion for Extension of Time is granted, and OPC's response to KWRU's Motion to Dismiss or Strike shall be due by the date commensurate with the issuance of this order.

Based upon the foregoing, it is hereby

ORDERED by Commissioner Julie I. Brown as Prehearing Officer, that the Office of Public Counsel's Motion for Extension of Time is granted as set forth herein.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this 24th day of October, 2018.



JULIE I. BROWN

Commissioner and Prehearing Officer  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

KMS

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; or (2) 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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.