

BEFORE THE PUBLIC SERVICE COMMISSION

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

DOCKET NO. 060257-WS  
ORDER NO. PSC-07-0642-PCO-WS  
ISSUED: August 8, 2007

ORDER GRANTING JOINT MOTION FOR ABATEMENT AND CONTINUANCE

On March 20, 2006, Cypress Lakes Utilities, Inc. (Cypress Lakes) filed an Application for Increased Water and Wastewater Rates in Polk County, and requested that its application be processed using the proposed agency action procedures. By Order No. PSC-07-0199-PAA-WS (PAA Order), issued March 5, 2007, this Commission approved increased water and wastewater rates for Cypress Lakes. On March 26, 2007, Cypress Lakes Associates, Ltd. (CLA) filed a petition for a formal hearing pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). On April 5, 2007, the Office of Public Counsel (OPC) filed a cross-petition pursuant to Rule 25-22.029(3), Florida Administrative Code (F.A.C.). At issue are the service availability charges set in the PAA Order. Based on the petitions, a formal hearing was scheduled for September 26-28, 2007. By Order No. PSC-07-0597-PCO-WS, issued July 24, 2007, controlling dates were established for this case.

On August 3, 2007, OPC, Cypress Lakes, and CLA filed a motion to abate this proceeding and to continue all of the scheduled actions set forth in Order No. PSC-07-0597-PCO-WS indefinitely. The parties request that the hearing be held in abeyance in order to provide the parties additional time to finalize a Settlement Agreement and to provide OPC the time necessary to secure customer approval of the Settlement Agreement.

Upon consideration, I find it reasonable and appropriate to grant the Joint Motion for Abatement and Continuance. Accordingly, this proceeding shall be held in abeyance. In the event a settlement is not reached, an Order will be issued setting forth new controlling dates.

Based on the foregoing, it is

ORDERED by Commissioner Nancy Argenziano, as Prehearing Officer, that the parties Joint Motion for Abatement and Continuance is hereby granted. It is further

ORDERED that in the event a settlement is not reached, an Order will be issued setting forth new controlling dates.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner Nancy Argenziano, as Prehearing Officer, this 8th day  
of August, 2007.



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NANCY ARGENZIANO  
Commissioner and Prehearing Officer

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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 25-22.060, 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.