

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for original certificates for proposed water and wastewater system and request for initial rates and charges in Martin and St. Lucie Counties by Bluefield Utilities, LLC.

DOCKET NO. 090459-WS  
ORDER NO. PSC-12-0591-PCO-WS  
ISSUED: October 31, 2012

ORDER GRANTING MOTION  
FOR CONTINUED ABATEMENT

Pursuant to Order No. PSC-12-0404-PCO-WS this matter has been held in abeyance so that the parties may continue to engage in settlement negotiations. That Order required Bluefield Utilities, LLC (Bluefield or Utility) to notify the Commission of the status of their negotiations and whether the matter should be rescheduled for hearing by no later than until October 29, 2012.

On October 29, 2012, Bluefield filed a Motion for Continued Abatement (Motion). In its Motion the Utility specified that an extension of the abatement will allow the ongoing negotiations to proceed without the distraction that simultaneous litigation often creates to such efforts. During the preceding period of abatement, Bluefield was able to reach a mutual agreement with St. Lucie County which, if approved by the Commission, will resolve their dispute. Bluefield further asserted that settlement discussions with the only remaining adverse party, Martin County, are active and ongoing. For the reasons stated above, the Utility contends that abatement of this matter is in the public interest, promotes judicial economy, and will allow this application and the ultimate determination of its merits by the Commission to proceed in a more orderly and considered fashion.

The Utility therefore requests that the Commission extend the abatement of this proceeding, and direct that the parties advise the Commission, no later than January 29, 2013, as to the status of any negotiations and whether this matter should be rescheduled for hearing or whether a different course of action is appropriate.

In consideration of the above, the Motion for Continued Abatement shall be granted and this proceeding shall continue to be held in abeyance. Bluefield shall advise the Commission no later than January 29, 2013, as to the status of any negotiations and whether this matter should be rescheduled for hearing or whether a different course of action is appropriate.

Based on the foregoing, it is

ORDERED by Chairman Ronald A. Brisé, as Prehearing Officer, that the Motion for Continued Abatement to continue to hold this proceeding in abeyance is granted as set forth in the body of the Order. It is further

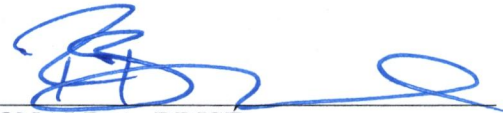
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FPSC-COMMISSION CLERK

ORDERED that Bluefield Utilities, LLC shall notify the Commission of the status of its negotiations and whether the matter should be rescheduled for hearing by no later than January 29, 2013.

By ORDER of Chairman Ronald A. Brisé, as Prehearing Officer, this 31st day of October, 2012.



RONALD A. BRISE  
Chairman and Prehearing Officer  
Florida Public Service Commission  
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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.

CMK

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

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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.