

Ruth Nettles

From: Engelhardt, Todd [todd.engelhardt@akerman.com]
Sent: Friday, September 28, 2007 5:54 PM
To: Filings@psc.state.fl.us
Subject: Filing for Docket 070109-WS
Attachments: 20070928183836012.pdf

Please find attached a PDF for electronic filing in the above-referenced docket.

a. The person responsible for this filing is:

Todd D. Engelhardt
106 East College Avenue Suite 1200
Tallahassee, FL 32301
email: todd.engelhardt@akerman.com
phone: (850) 224-9634

b. The docket number and title are: Docket 070109-WS In re: Application for amendment of Certificates 611-W and 527-S to extend water and wastewater service areas to include certain land in Charlotte County.

c. The filing is on behalf of Charlotte County.

d. Attachment 20070928183836012 is 4 pages long.

e. Attachment 20070928183836012 is a Motion for Extension of Time to File Testimony and Exhibits, along with a Cover letter.

If you have any questions or problems with this email or the attachment, please do not hesitate to contact me.

s/Todd D. Engelhardt
Todd D. Engelhardt, Esq.
Akerman Senterfitt
106 East College Avenue Suite 1200
Tallahassee, FL 32301
(850) 224-9634
(850) 222-0103 FAX

DOCUMENT NUMBER DATE
08954 OCT-1 20
FPSC-COMMISSION CLERK



Akerman Senterfitt

www.akerman.com | Bio | V Card

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Suite 1200
106 East College Avenue
Tallahassee, FL 32301
www.akerman.com
850 224 9634 tel 850 222 0103 fax

September 28, 2007

VIA ELECTRONIC FILING

Ann Cole, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: PSC Docket 070109-WS; In re Application for amendment of Certificates 611-W and 527-S to extend water and wastewater service areas to include certain land in Charlotte County

Dear Ms. Cole:

Attached to this letter and electronic filing please find Charlotte County's Motion for Extension of Time to File Testimony and Exhibits.

Thank you for your assistance with this filing, and please do not hesitate to contact me with any questions or concerns.

Sincerely,

AKERMAN SENTERFITT

Todd D. Engelhardt

cc: Martin S. Friedman
Robert C. Brannon
Ralph Jaeger

{TL136361;1}

DOCUMENT NUMBER-DATE

08954 OCT-15

FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for amendment of Certificates 611-W and 527-S to extend water and wastewater service areas to include certain land in Charlotte County	Docket No. 070109-WS Filed: September 28, 2007
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**CHARLOTTE COUNTY'S MOTION FOR EXTENSION OF TIME
TO FILE TESTIMONY AND EXHIBITS**

Charlotte County, by and through its undersigned counsel, hereby moves for an extension of time for filing its testimony and exhibits in the above-captioned docket. In support of this request, Charlotte County states as follows:

1. By Order No. PSC-07-0452-PCO-WS (hereinafter "Order Establishing Procedure"), issued May 29, 2007, in this docket, the objection of Charlotte County to the amendment application of Sun River Utilities, Inc. (hereinafter "Sun River") was scheduled for a formal hearing to be held on November 1 and 2, 2007. The Order Establishing Procedure also set controlling dates to govern the key activities of the case, including testimony, Prehearing Statements, conferences, and a discovery deadline.

2. Subsequent to the Order Establishing Procedure, Sun River determined that one of its main witnesses would not be available throughout many of the required timeframes. On July 18, 2007, Sun River filed a Motion for Continuance to alleviate this problem.

3. On July 30, 2007, Charlotte County responded to Sun River's motion, agreeing with Sun River on the need for a continuance, but objecting to Sun River's alternative Motion to Permit Expert to Testify by Deposition.

4. By Order No. PSC-07-0662-PCO-WS, issued August 16, 2007, the Motion for Continuance was granted, and the hearing was rescheduled for January 16 and 17, 2008. The

controlling dates governing the other aspects of the case were also rescheduled. Pursuant to this Order, the Protester's/Intervenor's testimony and exhibits are due October 16, 2007.

5. On September 12, 2007, Charlotte County retained the undersigned counsel to represent them in this matter. A Notice of Appearance was filed that same day in the Docket, labeled as Document Number 08276-07.

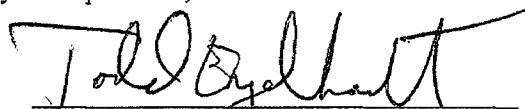
6. Due the complexity of the matter herein, combined with the undersigned's recent appearance in the case and current caseload, which includes an out-of-town trial on October 9, Charlotte County is seeking a two-week extension for the filing of the Protester's/Intervenor's testimony and exhibits. This extension would move the due date for Charlotte County's testimony and exhibits to October 30, 2007. Additionally, Charlotte County may be filing dispositive motions which would negate the necessity for further activity toward the scheduled hearing.

7. Should the extension of time be granted, Charlotte County would not object to the same extension of time be applied to the deadline for Staff's testimony and exhibits, Rebuttal testimony and exhibits, and any and all controlling dates in the case.

8. Charlotte County has contacted counsel for Sun River, who informed Charlotte County that they oppose any extension of time.

WHEREFORE, for the foregoing reasons, Charlotte County respectfully requests that the Prehearing Officer grant this Motion, allowing Charlotte County an additional two weeks to file its testimony and exhibits on October 30, 2007.

Respectfully submitted this 28th day of September, 2007.



Todd D. Engelhardt
Florida Bar Number: 0013444

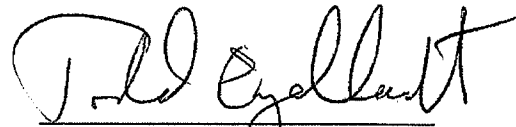
Harold A. McLean
Florida Bar Number: 0193591
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
P. O. Box 1877
Tallahassee, FL 32302-1877
Phone: (850) 224-9634
Fax: (850) 222-0103
Attorneys for Charlotte County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Charlotte County's Notice of Appearance in Docket No. 070109-WS has been furnished by U.S. Mail to the following on the 28th day of September 2007:

Martin S. Friedman, Esq.
Robert C. Brannan, Esq.
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
Phone: 850-877-6555
Fax: 850-656-4029
Email: rbrannan@rsbattorneys.com

Ralph Jeager, Esq.
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850


Todd D. Engelhardt