

## Ruth Nettles

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**From:** Robert Brannan [RBrannan@RSBattorneys.com]  
**Sent:** Wednesday, May 20, 2009 4:24 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Burton, Marty; Caroline Klancke; Gene Adams; John C. Pelham  
**Subject:** Filing in Docket No.: 080272-WS; Sun River Utilities, Inc.'s Request for Continued Abatement  
**Attachments:** request for continued abatement(2) 052009.pdf

Importance: High

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- b. Docket No.: 080272-WS; In Re: Application for Certificates for Water and Wastewater Service in Charlotte and Desoto Counties by Sun River Utilities, Inc.
- c. Sun River Utilities, Inc.
- d. 3 pages
- e. Request for Continued Abatement

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5/20/2009

DOCUMENT NUMBER-DATE

05025 MAY 20 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for Certificates for  
Water and Wastewater Service in Charlotte  
and DeSoto Counties by Sun River  
Utilities, Inc.

Docket No. 080272-WS

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**REQUEST FOR CONTINUED ABATEMENT**

Applicant, SUN RIVER UTILITIES, INC. ("Sun River"), by and through its undersigned attorneys and pursuant to Rule 29-106-204, F.A.C., moves this Commission for an Order extending the abatement of the proceedings in the instant matter, including all filing requirements, and, in support thereof, states:

1. This docket is currently under Commission-granted abatement (see Order PSC-08-0678-PCO-WS) which has assisted, in no insignificant part, in Movants proceeding toward a settlement of Charlotte County's objection to Sun River's original certificate application filed in this Docket. The purpose of this Request is to request an extension of the abatement until July 1, 2009, at which time the Movants will advise the Commission and its staff of the status of the settlement.

2. The background of this matter is adequately set forth in Order No. PSC-08-0678-PCO-WS and Order No. PSC-08-819-PCO-WS.

3. The parties have agreed on the terms of a settlement agreement. This agreement is subject to the final approval of the Charlotte County Board of County Commissioners. Sun River is also in the process of finalizing a separate agreement between Sun River and the Peace River/Manasota Regional Water Supply Authority

("Authority") which will also be subject to the approval of the Authority. Currently, the Movants are working diligently with the Authority to complete this process.

4. The expiration of the abatement occurs on May 20, 2009. If the abatement is allowed to expire, it will be incumbent upon Movants to resume certain litigation activities in Docket No. 080272-WS. It is in the public interest to further abate these proceedings so that the parties may direct their resources toward finalizing the settlement instead of perpetuating the litigation.

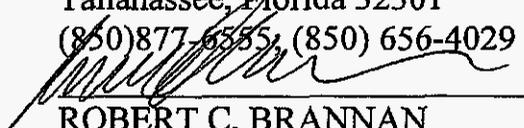
5. Sun River and Charlotte County have diligently worked together to accomplish a settlement and currently anticipate board approval during the week of May 27th. Abatement of this docket, and all activities therein in their entirety, will assist the parties in their efforts to finalize the settlement as quickly as possible.

6. Pursuant to Rule 28-106.204(3), F.A.C., the undersigned has consulted with the attorney for Charlotte County who concurs with this Motion.

WHEREFORE, Applicant, SUN RIVER UTILITIES, INC., respectfully requests that the Commission issue an Order further abating these proceedings until July 1, 2009.

Respectfully submitted this 20th day of  
May, 2009, by

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ROBERT C. BRANNAN  
For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic and U.S. Mail\* to the following this 20th day of May, 2009:

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