

Diamond Williams

090459-WS

From: Tonya Simpson [TSimpson@RSBattorneys.com]
Sent: Friday, February 25, 2011 2:37 PM
To: Filings@psc.state.fl.us
Cc: John Wharton
Subject: Motion for Abatement - DKS 090445/090459
Attachments: _0225142755_001.pdf

a. John L. Wharton, Esquire

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- b. 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, DK 090459; Application for original certificates for proposed water and wastewater system and request for initial rates and charges in Indian River, Okeechobee and St. Lucie counties by Grove Land Utilities, LLC, DK 090445.
- c. Grove Land Utilities, LLC/Bluefield Utilities, LLC
- d. 3 page Stipulated Motion for Continued Abatement

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DOCUMENT NO. DATE
 01269-11 2/25/11
FPSC - COMMISSION CLERK

2/25/2011

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for original certificates for proposed water and wastewater system and request for initial rates and changes in Indian River, Okeechobee and St. Lucie counties by Grove Land Utilities, LLC.

DOCKET NO. 090445-WS

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

STIPULATED MOTION FOR CONTINUED ABATEMENT

Grove Land Utilities, LLC and Bluefield Utilities, LLC (hereafter "Grove Land/Bluefield"), by and through their undersigned attorneys, hereby file this Stipulated Motion for Continued Abatement, and in support thereof would state as follows:

1. This matter is currently in abatement by PSC Order No. PSC-11-0102-PCO-WS until February 28, 2011.
2. That Order required Grove Land and Bluefield to notify the Commission of the status of their negotiations and whether the matter should be rescheduled for hearing by no later than February 28, 2011.
3. These consolidated applications were originally the subject of six objections (Okeechobee Utility Authority, St. Lucie County, Martin County, Fort Pierce Utilities Authority, Indian River County, and the City of Port St. Lucie). To date, ongoing negotiations between the applicants and the objecting local governmental entities have resulted in a settlement with Okeechobee Utility Authority, Fort Pierce Utility Authority, Indian River County and the City of Port St. Lucie. Discussions and negotiations remain active and ongoing with the two remaining objectors (St. Lucie County and Martin County).


DOCUMENT NO. DATE
01269-11 2,25,11
FPSC - COMMISSION CLERK

4. The only remaining protesting parties in this docket, Martin County and St. Lucie County, have agreed to an extension of the abatement. An extension of the abatement will allow the ongoing negotiations to proceed without the distraction simultaneous litigation often creates to such efforts. Further abatement of this matter will afford the applicants all of the benefits outlined hereinabove, and will not prejudice or adversely affect the applicants, the objecting parties, the public, or the Commission or its staff. Further abatement of this matter, as opposed to a mere continuance, is in the public interest, promotes judicial economy, and will allow these applications and the ultimate determination of their merits by the Commission to proceed in a more orderly and considered fashion.

6. Martin County and St. Lucie County have not stipulated to the contents of this motion, but rather only to the requested continued abatement itself.

WHEREFORE, and in consideration of the above, the applicants in these consolidated dockets respectfully request that the Commission extend the abatement this proceeding and all critical dates associated herewith, and direct that Grove Land/Bluefield advise the Commission, no later than April 30, 2011 as to the status of any negotiations between the parties and whether this matter should be rescheduled for hearing or whether a different course of action is appropriate.

Respectfully submitted this 25th day of
February, 2011, by:



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by electronic mail this 25th day of February, 2011, to:

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