

July 12, 1991

Mr. Steve Tribble, Director
OFFICE of RECORDS & REPORTING
101 E. Gaines Street
Tallahassee, Florida 32399-0870

910486-TL

MOTION TO MOVE PETITION
OUT OF TIME

ORIGINAL
FILE COPY

The Petitioner, GHF Associates, by the verified motion of its President, Steven M. Gray, files its motion as follows:

This verified motion is signed by Steven M. Gray as the President of GHF Associates.

The Petition for a formal proceeding was placed in the mail on July 1, 1991 by Certified Mail, at the United States Post Office in Dade County, Florida. For some reason the Petition was not delivered to the Division of Records and Reporting of the Public Service Commission in Tallahassee, Florida until July 3, 1991. A good faith effort was made by the undersigned to comply with the time requirements for filing the Petition for a Formal Proceeding, but through no fault of the undersigned the document was apparently not delivered before 5:00 Tuesday July 2, 1991.

In addition, normally under the applicable Rule 25-22.029, one whose substantial interests may be affected

DOCUMENT NUMBER-DATE

07148 JUL 15 1991

PSC-RECORDS/REPORTING

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Office of RECORDS
and REPORTING

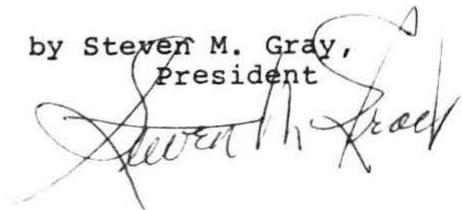
by an adverse ruling of the Public Service Commission has 14 days from publication of the decision and from service of the decision on the affected party, GHF ASSOCIATES, in order to file an action for a Formal Proceeding, was not made on behalf of GHF Associates until June 24, 1991. Therefore, I should have had until July 8, 1991 in which to file the Petition for Formal Proceeding.

There is no prejudice to the Public Service Commission by the brief delay in getting the Petition for a Formal Proceeding as this delay has no effect on the merits of the dispute. For the Public Service Commission to rest its decision on a procedural point, in view of the chain of events as set forth in this verified Motion, would be arbitrary and capricious and would result in an inequitable result not based on the substantial interests of this case.

Wherefore, GHF ASSOCIATES files its Motion to move Petition out of time for the above meritorious reasons.

GHF ASSOCIATES

by Steven M. Gray,
President

A handwritten signature in cursive script, appearing to read "Steven M. Gray", is written over the typed name and title.

**STATE OF FLORIDA
COUNTY OF DADE**

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Florida and the County of Lee to take acknowledgements, personally appeared

STEVEN MATHER GRAY

to me known to be the person described in and who executed the attached MOTION TO MOVE PETITION OUT OF TIME and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid on this 12th day of JULY., 1991.


Notary Public

My commission expires:

**NOTARY PUBLIC: STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JUNE 05, 1995
BONDED THRU HUCKLEBERRY & ASSOCIATES**