

M E M O R A N D U M

August 16, 1993

TO: CHAIRMAN J. TERRY DEASON

FROM: SUZANNE SUMMERLIN, DIVISION OF LEGAL SERVICES
GREG SHAFER, DIVISION OF WATER AND WASTEWATER

RE: RECOMMENDATION ON REQUEST FOR DEFERRAL OF AGENDA ITEM NO. 23 - DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Staff sees no reason not to grant Shady Oaks Utility's request for deferral of Item No. 23 from the August 17, 1993, Agenda Conference. As the attached letter indicates, counsel for the utility has an "irreconcilable" conflict on that date and there are no time limits that require immediate action. Staff notes that the recommendation does reflect parties may not participate because staff is recommending denial of the utility's motion for oral argument on its motion for reconsideration. However, the utility should be represented by someone at the Agenda Conference at which the Commission will dispose of its motions for oral argument and reconsideration.

SFS/dr

Attachment

Terry
I also support this request for deferral
Bull

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC 1 _____
- WAS _____
- OTH _____

DOCUMENT NUMBER-DATE

08823 AUG 16 83

FPSC-RECORDS/REPORTING

AUG 12 1993

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August 12, 1993

VIA HAND DELIVERY

Suzanne Summerlin, Esq.
Division of Legal Services
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32301

RE: Shady Oaks Utility
Docket No. 900025-WS
Our File No. 29056.01

Dear Suzanne:

I request a deferral of Item No. 23 on Tuesday's Agenda. I have an irreconcilable conflict on that date and will not be able to attend the Agenda item. I do not believe either the Commission, its staff, nor any member of the public would be prejudiced by a two-week deferral of this matter particularly in light of the fact that the Recommendation is on a Motion which I filed on behalf of the utility over three months ago. A brief delay in the disposition of this matter will not affect the substance of what the Commission staff is attempting to accomplish nor what the utility intends to argue to the Commission regarding the Staff's Recommendation.

I realize that the Recommendation recommends that oral argument be denied but I believe you would agree that I should at least have a chance to address the Commission about that particular portion of the Recommendation (that is, why I should be able to present argument on the substantive portion of our Motion and the Staff's Recommendation).

I will be out of the office most of tomorrow but I would very much appreciate hearing from you by tomorrow morning or Monday regarding whether this matter can be deferred. Thank you in advance for your attention to this matter.

*Terms
26 staff supports
this request
WR*

Suzanne Summerlin, Esq.
August 12, 1993
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Should you have any questions or concerns regarding the above, please do not hesitate to contact me at your earliest convenience.

Sincerely,

ROSE, SUNDSTROM & BENTLEY



John L. Wharton, Esq.
For The Firm

JLW/lm

cc. (via hand-delivery)
Mr. Bill Talbott ✓
Mr. Charles Rehwinkel