

ORIGINAL

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RECORDS AND  
REPORTING

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March 13, 2001

Blanca S. Bayo, Director  
Division of Records & Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Building, Room 110  
Tallahassee, FL 32399-0850

**Via Hand Delivery**

Re: Docket No. 950387-WS  
Application for a rate increase for North Ft. Myers Division in Lee County by  
Florida Cities Water Company – Lee County Division

Dear Ms. Bayo:

Enclosed on behalf of Florida Cities Water Company are an original and fifteen (15) copies of a Motion for Extension of Time in Which to Make the Rate Refund as Required by Order No. PSC-99-0691-FOF-SU.

Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter and returning same to my attention.

Sincerely,

RUDEN, McCLOSKEY, SMITH,  
SCHUSTER & RUSSELL, P.A.

*Kathryn G. W. Cowdery*  
Kathryn G. W. Cowdery  
Attorney

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KGC/ldv  
Enclosures

cc Tricia Merchant (via hand delivery)

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*[Signature]*  
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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

L:33339:1

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for )  
a rate increase for North Ft. ) Docket No. 950387-WS  
Myers Division in Lee County )  
by Florida Cities Water ) Filed: March 13, 2001  
Company - Lee County Division )

MOTION FOR EXTENSION OF TIME  
IN WHICH TO MAKE THE RATE REFUND AS REQUIRED BY  
ORDER NO. PSC-99-0691-FOF-SU

Florida Cities Water Company ("FCWC"), by and through its undersigned attorneys, hereby requests an extension of time in which to make the rate refund as required pursuant to Order No. PSC-99-0691-FOF-SU in the above-stated docket, and as grounds states:

1. On February 14, 2001, FCWC filed in this docket a Motion to Approve Refund Methodology which addresses the specific methodology to be used in effecting the refund required by Order No. PSC-99-0691-FOF-SU.

2. Order No. PSC-99-0691-FOF-SU requires that FCWC make the refund by March 22, 2001.

3. The Staff Recommendation on FCWC's Motion to Approve Refund Methodology will be heard by the commission at its April 3, 2001 agenda conference, which is after the March 22, 2001 date set forth in Order No. PSC-99-0691-FOF-SU.

4. FCWC will need 60 days from the date of the order wherein the commission makes its ruling in this docket, in which to make the refund.

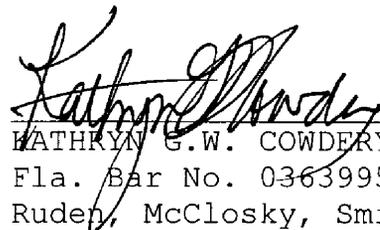
5. Order No. 99-0691-FOF-SU allowed FCWC 90 days from the date that order became final to make the refund. FCWC believes that 60 days from the date of the commission's order rendered on FCWC's pending motion is a reasonable amount of time to request in order to accomplish the refund check mailing. Since September 30, 2000, FCWC has no longer operated as a utility and has no employees, although it is still an active corporation and keeps its books and records. The successor parent company, Avatar Utilities, Inc., will be responsible for making the refund mailing. In order to accomplish the initial refund check mailing, manpower will need to be assigned to the task, customer records will need to be accessed from computer records, approximately 2600 refunds will need to be calculated, interest will need to be added to the refunds, and checks will need to be prepared and mailed.

6. Counsel for FCWC has conferred with counsel for the parties regarding this motion. PSC Staff Counsel has no objection to this motion. OPC does not take a position on this motion at this time.

WHEREFORE, FCWC respectfully requests that the Commission:

1. Grant FCWC an extension of time in which to make the refund as required by Order No. PSC-99-0691-FOF-SU, which will be that date which is 60 days from the date of the commission order ruling on FCWC's Motion to Approve Refund Methodology; and
2. Grant any such other relief as is appropriate.

Respectfully submitted this 13th day of March 2001.

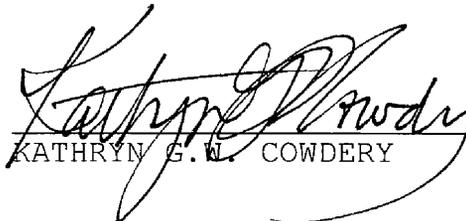


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Attorneys for Florida Cities  
Water Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Extension of Time in Which to Make the Rate Refund as Required by Order No. PSC-99-0691-FOF-SU has been furnished this 13th day of March 2001, by hand delivery to Ralph Jaeger, Division of Legal Services, Gunter Building, Room 370H, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 and by U.S. Mail to Harold McLean, Public Counsel, Office of Public Counsel, c/o The Florida Legislature, Claude Pepper Building, Room 812, 111 W. Madison Street Tallahassee, Florida 32399-1400.



KATHRYN G.W. COWDERY