

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 010908-EI

July 25, 2002

Motion for Extension of Time to File Response to FPL's Motion to Dismiss

Complaint against Florida Power & Light Company)
regarding placement of power poles and transmission)
lines by Amy and Jose Gutman, Teresa Badillo)
and Jeff Lessera)

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COMMISSION
CLERK

Motion for Extension of Time to File Response to FPL's Motion to Dismiss

Petitioners pursuant to Rule 28-106.204 of the Florida Administrative Code, hereby moves for an extension of time for the Petitioners to file their Response to FPL's Motion to Dismiss.

1. Petitioners filed a Petition for a Hearing on June 28, 2002.
2. FPL filed a Motion to Dismiss Complainants' Petition for a Hearing on Order No. PSC-02-0788-PAA-EI dated July 16, 2002. This motion was recorded by the Division of the Commission Clerk and Administrative Services on July 17, 2002.
3. The Certificate of Service on the back of FPL's Motion to Dismiss Complainants' Petition for a Hearing on Order No. PSC-02-0788-PAA-EI states that a true and correct copy was mailed to Petitioners on July 16, 2002. Since the certificate states that this motion was mailed, Petitioners would be allowed an additional 5 days to respond to FPL's Motion to Dismiss according to Florida Administrative Code 28.106. The date for response would be July 29, 2002.
4. FPL's Motion to Dismiss Complainants' Petition for a Hearing on Order No. PSC-02-0788-PAA-EI was actually sent by Federal Express causing Petitioners confusion as to when their response is due.
5. Petitioners respectfully request an extension of time due to family obligations during the summer months when children are not in school.
6. Donna Tennant spoke with Mr. Keating of the Public Service Commission on July 25 of her intention to file for an extension of time and to Mr. Butler, FPL's attorney. Mr. Butler agreed to the extension of time.

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WHEREFORE, the Petitioners respectfully request an extension of time allowing them to submit their Response to FPL's Motion to Dismiss no later than August 2, 2002.

Respectfully submitted this 25th day of July 2002.

By: Donna Tennant

Donna Tennant
12596 Little Palm Lane
Boca Raton, FL 33428

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition has been furnished by mail to Mr. John W. Butler, P.A., and to Ms. Blanca S. Bayo, Division of the Commission Clerk and Administrative Services this 25th day of July 2002.

By: Donna Tennant

Donna Tennant
12596 Little Palm Lane
Boca Raton, FL 33428