

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Objection to Notice of Intent)	DOCKET NO. 881599-WS
by ALOHA UTILITIES, INC., to apply)	ORDER NO.: 20992
for amendment of Certificates Nos.)	ISSUED: 4-7-89
136-W and 97-S in Pasco County)	

ORDER FOR MORE DEFINITE STATEMENT

Aloha Utilities, Inc. ("Aloha" or "utility"), provides water and sewer service to an area in Pasco County pursuant to Certificates Nos. 136-W and 97-S. Aloha has filed notice of its intention to apply for an amendment of its service area described in said certificates. On December 27, 1988, the Commission received a letter from Holiday Utilities, Inc., expressing its objection to the notice filed by Aloha. No grounds for the objection were stated in the letter.

On March 15, 1989, Aloha filed a Motion for More Definite Statement Of Objection to Notice ("Motion"). No responsive pleading has been filed and the time for filing same has expired.

The Motion describes Aloha's efforts through letters and telephone calls to Holiday Utilities, Inc. ("Holiday"), to ascertain the nature of the objection or secure withdrawal of the objection. Holiday has not specified the nature of its objection or withdrawn its objection.

The Motion further states that Aloha "is convinced that its intended extension of service and subsequent amendment of its Certificates is to an area which is several miles from , and in no way conflicts with, the territory of Holiday." Assuming, arguendo, the truth of this assertion, the interests of judicial economy would be best served by securing a more definite statement of Holiday's objection.

For the above reasons we find it appropriate to direct Holiday Utilities, Inc., to file a more definite statement of the grounds of its objection to Aloha's notice of intention to apply for amendment of Certificates Nos. 136-W and 97-S.

WHEREFORE, in consideration of the foregoing, it is

ORDERED by Commissioner Thomas M. Beard, as Prehearing Officer, that Holiday Utilities, Inc., shall provide, in writing, a more definite statement of the grounds of its objection to the notice of intent by Aloha Utilities, Inc., to apply for amendment of Certificates Nos. 136-W and 97-S. It is further

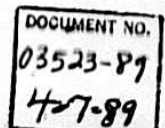
ORDERED that said written statement shall be received by this Commission within ten days of the date of this Order.

By ORDER of Commissioner Thomas M. Beard, as Prehearing Officer, this 7th day of APRIL, 1989.


 THOMAS M. BEARD, Commissioner
 Prehearing Officer

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.