

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation Into the ) DOCKET NO. 930880-WS  
Appropriate Rate Structure for ) ORDER NO. PSC-94-0216-PCO-WS  
SOUTHERN STATES UTILITIES, INC. ) ISSUED: February 24, 1994  
for all Regulated Systems in )  
Bradford, Brevard, Citrus, Clay, )  
Collier, Duval, Hernando, )  
Highlands, Lake, Lee/Charlotte, )  
Marion, Martin, Nassau, Orange, )  
Osceola, Pasco, Putnam, )  
Seminole, St. Johns, St. Lucie, )  
Volusia, and Washington )  
Counties. )  
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ORDER CLARIFYING ORDER ESTABLISHING PROCEDURE

By letter dated February 21, 1994, Southern States Utilities, Inc., has expressed concern regarding exactly what noticing requirements the Commission intends it to fulfill. Specifically, the utility notes that in Order No. PSC-93-1516-PCO-WS, issued October 14, 1993, the Commission required it to comply with the noticing provisions in Rule 25-22.0407(6) and (7), Florida Administrative Code. Rule 25-22.0407(6) requires that a utility provide customers notice of a customer hearing no less than 14 days and no greater than 30 days prior to the customer hearing. By letter from Staff dated February 17, 1994, the utility was instructed to send notice to all customers indicated no less than 14 days prior to the first customer hearing in this Docket scheduled for March 11, 1994. Compliance with that directive will mean that the utility will not be providing notice less than 30 days for customer meetings that are scheduled for late March and April 1994. Therefore, the utility has requested clarification of the noticing requirements with which it must comply.

The utility shall provide notice of the first customer hearing to all customers described within the notice no less than 14 days prior to that customer hearing which is scheduled for March 11, 1994. To the extent that this notice will give customers in excess of 30 days notice for later customer hearings, this procedural Rule is hereby waived.

The utility has also requested clarification of the requirements in Rule 25-22.0407(7) regarding publication notice for a technical hearing. The utility wishes to know if it must provide such publication notice in a newspaper of general circulation for each service area involved in this Docket or only those in the Orlando vicinity. The utility shall provide such publication

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notice of the technical hearing in a newspaper of general circulation for each service area involved in this Docket.

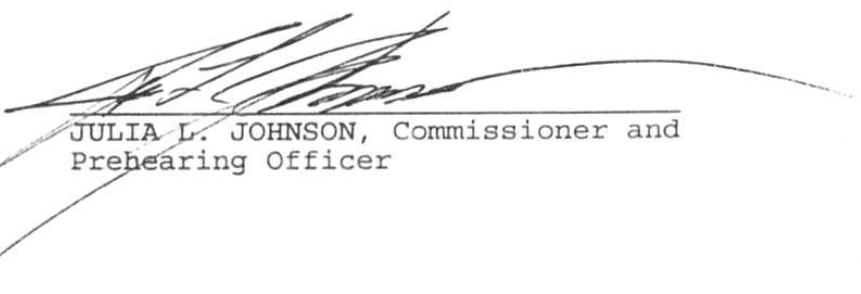
In addition, the utility by telephone conversation with Staff on February 23, 1994, has requested clarification of the requirement that it provide notice to all of the customers 14 days prior to the March 11, 1994, customer hearing. Because of the extensive delays resulting from efforts by Staff and the Commission to assure that the notice to be sent would be completely accurate, comprehensive, and easy to understand, the utility will be unable to mail notices for the service areas involved in the March 11, 1994, customer hearing before Friday, February 25, 1994. The customers will not receive notice 14 days prior to the March 11, 1994, customer hearing. However, the customers should receive that notice within five days following mailing which will mean they would receive it by March 2, 1994. This will give the customers nine days' notice. In light of the circumstances, it is appropriate to waive the 14 days' notice requirement.

Based on the foregoing, it is, therefore,

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that the provisions of Order No. PSC-93-1516-PCO-WS are hereby clarified as set forth in the body of this Order. It is further

ORDERED that all other provisions of Order No. PSC-93-1516-PCO-WS remain in force and effect.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 24th day of February, 1994.



JULIA L. JOHNSON, Commissioner and  
Prehearing Officer

( S E A L )

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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 wastewater 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.