

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of ) DOCKET NO. 940761-WS  
special service availability ) ORDER NO. PSC-95-0441-PCO-WS  
contract with Lake Heron in ) ISSUED: April 5, 1995  
Pasco County by MAD HATTER )  
UTILITY, INC. )  
\_\_\_\_\_ )

ORDER GRANTING MOTION TO FILE ADDITIONAL TESTIMONY

On March 10, 1995, this Commission issued an Order Establishing Procedure (Order No. PSC-95-0333-PCO-WS) which established the procedures to be followed, as well as the key activities to occur in this docket.

On March 28, 1995, Mad Hatter Utility, Inc. (Mad Hatter or utility), filed testimony and exhibits, and moved for an extension of time in which to file certain additional testimony. In support of its motion, the utility states that during the course of preparing prefiled testimony, its attorneys became aware of the existence of a witness who could provide further corroborative testimony. The utility requests an extension of time through and including April 7, 1995, in which to submit the testimony of Gerald Towson, P.E. Thus far, there are no intervenors in this cause, and no objections have been filed to the motion.

In consideration of the above, the utility's request appears reasonable, and the motion is hereby granted. The utility shall file the testimony of Gerald Towson, P.E., on or before April 7, 1995. Order No. PSC-95-0333-PCO-WS is reaffirmed in all other respects.

Based upon the foregoing, it is therefore,

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that Mad Hatter Utility, Inc.'s, motion to file the testimony of Gerald Towson, P.E., is hereby granted. It is further

ORDERED that Mad Hatter Utility, Inc., shall have until April 7, 1995, to file the testimony of Gerald Towson, P.E. It is further

ORDERED that Order No. PSC-95-0333-PCO-WS is hereby reaffirmed in all other respects.

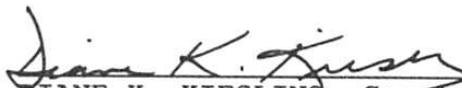
DOCUMENT NUMBER-DATE

03445 APR-5 95

FPSC-RECORDS/REPORTING

ORDER NO. PSC-95-0441-PCO-WS  
DOCKET NO. 940761-WS  
PAGE 2

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 5th day of April, 1995.

  
\_\_\_\_\_  
DIANE K. KIESLING, Commissioner and  
Prehearing Officer

( S E A L )

RGC

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.