

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate) DOCKET NO. 950495-WS
increase and increase in service) ORDER NO. PSC-95-1034-PCO-WS
availability charges by Southern) ISSUED: August 21, 1995
States Utilities, Inc. for)
Orange-Osceola Utilities, Inc.)
in Osceola County, and in)
Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval,)
Hernando, Highlands,)
Hillsborough, Lake, Lee, Marion,)
Martin, Nassau, Orange, Osceola,)
Pasco, Polk, Putnam, Seminole,)
St. Johns, St. Lucie, Volusia,)
and Washington Counties.)

ORDER GRANTING INTERVENTION

By petitions filed on July 21, 1995, and August 8, 1995, the Sugarmill Woods Civic Association, Inc., and the Spring Hill Civic Association, Inc. (referred to hereinafter as the Associations), by and through their attorney, Michael B. Twomey, request, among other things, leave to intervene in this proceeding. In support of their Petitions, the Associations state that the rate application of Southern States Utilities, Inc., (SSU) includes a request for increased water and wastewater rates to their members and that the substantial interests of their members will be affected by the proceeding.

In addition to requesting leave to intervene and permission to participate in this proceeding with full rights as parties, the Associations have also requested that the Order Granting Intervention: 1) direct SSU to immediately serve the Association, with a full and complete copy of its petition, testimony, and all supporting documentation filed with the Commission, its staff and other parties; 2) direct Commission staff and other parties to this case to serve upon the Association copies of all documents filed with the Commission or served upon other parties up to, and including, the date of this Order; and 3) direct the parties to this docket to serve all documents relating to this proceeding on both their attorney and their Presidents who are located, respectively, in Homosassa and Spring Hill, Florida.

On August 4 and 15, 1995, respectively, SSU filed its responses to the Associations' Petitions, and stated that it did not object to the intervention of the Associations. Having

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reviewed the petitions, it appears that the Associations' substantial interests may be affected by this proceeding. Therefore, the Associations' requests to intervene are hereby granted.

However, pursuant to Rule 25-22.039, Florida Administrative Code, the Associations take the case as they find it. Therefore, the Associations' requests that parties be directed to serve the Associations with all previously filed documents, are hereby denied. The Associations may inspect all documents on file at the Division of Records and Reporting and either make copies or obtain documents through discovery. In addition, the Associations' requests that all documents be served on the Associations' Presidents, in addition to the Associations' counsel of record, are also denied. Parties shall only be required to serve documents on the Associations' counsel of record.

Based on the foregoing, it is, therefore,

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Petitions to Intervene, filed by the Sugarmill Woods Civic Association, Inc., and the Spring Hill Civic Association, Inc., are hereby granted to the extent set forth in the body of this Order. It is further


ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents that are hereinafter filed in this proceeding, to Michael B. Twomey, Route 28, Box 1264, Tallahassee, Florida 32310. It is further

ORDERED that the requests to require the Commission and parties to serve Sugarmill Woods Civic Association, Inc., and Spring Hill Civic Association, Inc., with all documents filed prior to this order are hereby denied. It is further

ORDERED that the requests of Sugarmill Woods Civic Association, Inc., and Spring Hill Civic Association, Inc., that all documents be served on their President, in addition to their counsel, are hereby denied.

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By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 21st day of August, 1995.


DIANE K. KIESLING, Commissioner and
Prehearing Officer

(S E A L)

RRJ

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.