

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate ) DOCKET NO. 950495-WS  
increase and increase in service ) ORDER NO. PSC-95-1134-PCO-WS  
availability charges by Southern ) ISSUED: September 11, 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. )

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ORDER QUASHING SUBPOENA

On September 5, 1995, Sugarmill Woods Civic Association, Inc., (Sugarmill) filed a Notice of Deposition and Subpoena, for the deposition of Bill Lowe, Deputy Director of the Division of Water and Wastewater, on September 12, 1995. On September 8, 1995, Public Service Commission Staff (Staff) filed a Motion to Quash Subpoena and for a Protective Order.

Neither Sugarmill's Notice of Deposition nor the accompanying subpoena describe the area of inquiry to be explored in deposition, thus making it impossible to determine whether the area of inquiry would be relevant to the subject matter of this proceeding or could lead to the discovery of any admissible evidence. For this reason, the subpoena is hereby quashed. Having made the determination to quash the subpoena on the grounds of deficiency, no further ruling on Staff's Motion and the issues raised therein is necessary.


Based on the foregoing, it is therefore,

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that Sugarmill Woods Civic Association, Inc.'s Subpoena of September 5, 1995, for the deposition of Bill Lowe is hereby quashed.

DOCUMENT NUMBER-DATE  
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By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 11th day of September, 1995.

  
DIANE K. KIESLING, 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.