

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate) DOCKET NO. 950495-WS
increase and increase in service) ORDER NO. PSC-95-1500-PCO-WS
availability charges by Southern) ISSUED: December 5, 1995
States Utilities, Inc. for)
Orange-Osceola Utilities, Inc.)
in Osceola County, and in)
Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval,)
Highlands, Lake, Lee, Marion,)
Martin, Nassau, Orange, Osceola,)
Pasco, Putnam, Seminole, St.)
Johns, St. Lucie, Volusia, and)
Washington Counties.)

ORDER DENYING MOTION FOR INTERVENTION

By motion filed November 7, 1995, Arthur I. Jacobs, Esquire, requested to be permitted to appear as intervenor on behalf of the citizens of Nassau County. On November 20, 1995, SSU filed a timely response to the motion to intervene. While it concedes that SSU customers in Nassau County will be substantially affected by this proceeding, SSU contends that the motion to intervene fails to state who the customers are or who the parties to the proceeding would be. SSU also noted in a November 2, 1995, response to several motions filed by the Nassau County customers, that the notice of appearance filed by Mr. Jacobs did not indicate whom he represented.

The motion to intervene fails to specifically identify petitioners and how their substantial interest will be affected in this proceeding as required by Rules 25-22.036(7) and 25-22.039, Florida Administrative Code. Therefore, the motion is legally insufficient and is hereby denied.

Based on the foregoing, it is, therefore,

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the petition to intervene, filed by Arthur I. Jacobs, Esquire, on behalf of the citizens of Nassau County is hereby denied.


DOCUMENT NUMBER-DATE

12121 DEC-5 1995

FPSC-RECORDS/REPORTING

ORDER NO. PSC-95-1500-PCO-WS
DOCKET NO. 950495-WS
PAGE 2

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