

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate) DOCKET NO. 950495-WS
increase and increase in service) ORDER NO. PSC-96-0511-PCO-WS
availability charges by Southern) ISSUED: April 15, 1996
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 GRANTING PUBLIC COUNSEL'S MOTION
TO ALLOW FILING OF SUPPLEMENTAL TESTIMONY

Pursuant to Order No. PSC-95-1506-PCO-WS, issued December 5, 1995, the deadline for filing intervenor testimony was established as February 12, 1996. The Office of Public Counsel (OPC) filed testimony on that date.

On March 25, 1996, OPC filed a motion to allow filing of supplemental testimony wherein OPC requests that the Commission permit OPC to file second supplemental testimony for Kimberly Dismukes. No responses to OPC's motion have been filed.

In support of its motion, OPC states that SSU's motion for reconsideration of Order No. PSC-95-1504-PCO-WS, issued December 5, 1996, which granted OPC's fifth motion to compel certain income tax returns was denied and SSU was ordered to provide the returns by February 26, 1996. OPC asserts that Ms. Dismukes' testimony addresses the information that was the subject of its fifth motion to compel and is based on information which was provided by the utility after OPC's deadline for filing testimony.

By Order No. PSC-96-0347-FOF-WS, issued March 11, 1996, the Commission denied SSU's motion for reconsideration of the order granting OPC's fifth motion to compel. The Commission ordered SSU to provide the tax returns to OPC by a date which was subsequent to OPC's testimony filing date. Upon reviewing OPC's motion, it appears that the request to file supplemental testimony is appropriate. OPC did not have a prior opportunity to file testimony regarding the information received by them on February 26, 1996. OPC's motion to file the second supplemental testimony of Kimberly Dismukes is granted.

DOCUMENT NUMBER-DATE

04265 APR 15 96

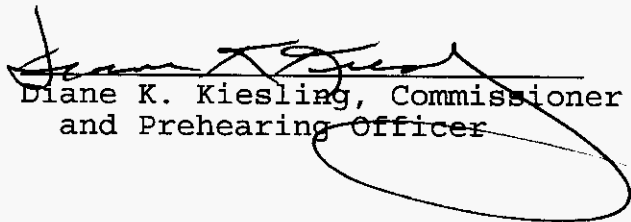
FPSC-RECORDS/REPORTING

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Based upon the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Motion to Allow Filing of Supplemental Testimony, filed by the Office of Public Counsel is hereby granted.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 15th day of April, 1996.


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.