

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a rate ) DOCKET NO. 951258-WS  
increase in Brevard County by ) ORDER NO. PSC-96-0562-PCO-WS  
Florida Cities Water Company ) ISSUED: April 30, 1996  
(Barefoot Bay Division). )  
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ORDER GRANTING FLORIDA CITIES WATER COMPANY, BAREFOOT  
BAY DIVISION'S MOTION FOR THREE-DAY EXTENSION FOR FILING BRIEFS  
AND  
REVISING ORDER ON PROCEDURE

On March 11, 1996, this Commission issued an Order Establishing Procedure (Order No. PSC-96-0338-PCO-WS) which established, among other things, an April 23, 1996 due date for filing briefs. On April 16, 1996, this Commission issued an Order Revising Order on Procedure (Order No. PSC-96-0533-PCO-WS) which extended the date for filing briefs to April 13, 1996, as a result of a one-week delay in the availability of the hearing transcript.

On April 18, 1996, Florida Cities Water Company, Barefoot Bay Division (FCWC or utility) moved for a three-day extension of time in which to file its brief. In support of its motion, FCWC states that the delay in the availability of the hearing transcript and resulting extension of the due date for the briefs, makes it difficult for FCWC to file its brief by April 23, 1996. FCWC personnel who are needed to assist in preparation and review of its brief will be attending and in most cases testifying at the April 24 - 25, 1996 hearing in Docket No. 950387-SU, and will be in transit to and from the hearing. The other parties in this docket state that they do not object to the motion.

In consideration of the above, FCWC's motion is granted. In order to allow time for FCWC to file its brief, and to provide all other parties the same amount of additional time in which to file briefs, Order No. PSC-96-0338-PCO-WS, is hereby revised to allow parties to file briefs on or before May 3, 1996. The Order is reaffirmed in all other respects.

Based on the foregoing, it is

ORDERED by Commissioner Joe Garcia, as Prehearing Officer, that Florida Cities Water Company, Barefoot Bay Division's Motion for Three-Day Extension for Filing Briefs is granted. It is further

ORDERED that Order No. PSC-96-0338-PCO-WS is hereby revised as set forth in the body of this Order. It is further

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ORDERED that Order No. PSC-96-0338-PCO-WS is reaffirmed in all other respects.

By ORDER of Commissioner Joe Garcia, as Prehearing Officer, this 30th day of April, 1996.

  
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JOE GARCIA, 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 25-22.0376, 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.