

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Notice of abandonment of
and application for transfer of
Certificates Nos. 361-W and 316-S
in Citrus County from J & J Water
and Sewer Corporation to Meadows
Utility Company, Inc.

DOCKET NO. 951026-WS
ORDER NO. PSC-97-0532-PCO-WS
ISSUED: May 9, 1997

ORDER GRANTING MOTION TO ADD ADDITIONAL TESTIMONY

On February 12, 1997, this Commission issued an Order Establishing Procedure (Order No. 97-0154-PCO-WS) which established the procedures to be followed, as well as the key activities to occur in this docket.

On March 24, 1997, Meadows Utility Company, Inc. (Meadows or utility) filed its prefiled direct testimony and exhibits. On April 2, 1997, Meadows filed a Motion to Add Additional Testimony. In support of its motion, the utility alleged that counsel for the utility inadvertently submitted two prefiled exhibits, both of which were labeled as Exhibit 1. Attached to Meadow's motion was proposed additional testimony, which sponsors and renumbers the "second" Exhibit 1 as the utility's prefiled Exhibit 6.

The Additional Testimony does not appear to alter or broaden the testimony or exhibits already filed with the Commission. No response or objection has been filed with regard to Meadows' motion. Staff Counsel has contacted the customers who filed a protest in this docket; they do not have an objection to the utility's motion.

In consideration of the above, Meadows' request appears reasonable, and the motion is hereby granted. The proposed additional testimony shall be made a part of the utility's prefiled direct testimony in this docket. Order No. PSC-97-0154-PCO-WS is reaffirmed in all other respects.

Based on the foregoing, it is

ORDERED by Commissioner Susan Clark, as Prehearing Officer, that Meadows Utility Company, Inc.'s Motion to Add Additional Testimony is granted as set forth in the body of this Order. It is further

ORDERED that the proposed additional testimony attached to Meadows Utility Company, Inc.'s Motion to Add Additional Testimony shall be made a part of the utility's prefiled direct testimony in this docket. It is further

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ORDERED that the proposed additional testimony attached to Meadows Utility Company, Inc.'s Motion to Add Additional Testimony shall be made a part of the utility's prefiled direct testimony in this docket. It is further

ORDERED that Order No. PSC-97-0154 -PCO-WS is reaffirmed in all other respects.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 9th day of May, 1997.


SUSAN F. CLARK, 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 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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.