

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of SOUTH BROWARD)	DOCKET NO. 890360-WS
UTILITY, INC. for a rate increase in)	ORDER NO. 22951
Broward County)	ISSUED: 5-17-90
)	

ORDER DENYING ORAL ARGUMENT

On April 23, 1990, we issued Order No. 22844, Final Order Setting Rates and Charges. On May 8, 1990, South Broward Utility, Inc. (utility) filed a timely Motion for Reconsideration of that Order and a separate Request for Oral Argument as required by Rule 25-22.058(1), Florida Administrative Code. Rule 25-22.060(1)(f), Florida Administrative Code provides that oral argument shall be granted solely at the discretion of the Commission.

In its pleading, the utility stated that it seeks oral argument because the issues for which it has requested reconsideration are:

complicated, involve mathematical computations, and involve numerous facts contained in the testimony and exhibits presented at the hearing, and include an issue addressed in Order No. 22844 which was not addressed in the prehearing order.

Upon consideration, the Prehearing Officer does not believe that allowing the utility to present oral argument will aid in understanding and evaluating the issues raised. The utility's positions and arguments are clearly set forth in its Motion for Reconsideration. We are informed by Staff that the issue asserted not to have been addressed in the prehearing order relates to our decision to require the utility to mail, rather than hand deliver, its bills.

Accordingly, the request for oral argument is denied.

Based on the foregoing, it is

ORDERED by Commissioner Betty Easley, as Prehearing Officer, that the Request of South Broward Utility, inc. for Oral Argument on the Motion for Reconsideration of Order No. 22844 is hereby denied.


DOCUMENT NUMBER-DATE

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By ORDER of Commissioner Betty Easley, as Prehearing Officer, this 17th day of MAY, 1990.



BETTY EASLEY, Commissioner
and Prehearing Officer

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 sewer 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.