

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for continuation)
of gross-up of contributions-in-)
aid-of-construction (CIAC) in Lee)
County by NORTH FORT MYERS)
UTILITY, INC.)
_____)

DOCKET NO. 901013-SU

In re: Petition for distribution)
of contributions-in-aid-of-)
construction (CIAC) gross-up)
monies by NORTH FORT MYERS)
UTILITY, INC. in Lee County)
_____)

DOCKET NO. 910261-SU

ORDER NO. 25698

ISSUED: 2-7-92

ORDER CONSOLIDATING DOCKETS FOR THE PURPOSE OF HEARING

BY THE COMMISSION:

On January 14, 1992 North Ft. Myers Utility, Inc. filed a Petition on Proposed Agency Action in Dockets Nos. 901013-SU and 910261-SU. Having reviewed the record and the pending petitions, the Commission, on its own motion, finds it appropriate to consolidate the subject dockets for the purpose of hearing for the following reasons: 1) there are similar issues of law, policy and fact; 2) the petitioner utility is the same; 3) consolidation will provide the least expensive resolution to the issues raised by petitioner; 4) petitioner has no objection to consolidation.

Accordingly, we conclude that consolidating the dockets for the purpose of hearing will promote just, speedy, and inexpensive resolution of the proceedings, and will not unduly prejudice the rights of the parties. Therefore, we hereby consolidate Dockets Nos. 901013-SU and 910261-SU for the purpose of hearing.

Based upon the foregoing, it is

ORDERED by Commissioner J. Terry, as Prehearing Officer that Dockets Nos. 901013-SU and 910261-SU are hereby consolidated for the purpose of hearing.


DOCUMENT NUMBER-DATE

01434 FEB -7 1992

FPSC-RECORDS/REPORTING

ORDER NO. 25698
DOCKETS NOS. 901013-SU AND 910261-SU
PAGE 2

By ORDER of Commissioner J. Terry Deason, as Prehearing
Officer this 7th day of February, 1992.


J. TERRY DEASON, Commissioner
as Prehearing Officer

(S E A L)

JTD/CB

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.