

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Clarification of) DOCKET NO. 920763-WS
contributions-in-aid-of) ORDER NO. PSC-92-0855-PCO-WS
construction (CIAC) gross-up) ISSUED: 08/24/92
refund procedure)
_____)

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Motion to Intervene filed August 7, 1992, Martin Downs Utilities, Inc. (Martin Downs) by and through its attorney, F. Marshall Deterding, requests leave to intervene in this proceeding. In support of its Motion, Martin Downs states that it has been a participant in all proceedings regarding the Commission's procedures and practices relative to the contributions-in-aid-of-construction (CIAC) gross-up question and it wishes to continue such participation.

Having reviewed the Motion, it appears that Martin Downs' substantial interests may be affected by this proceeding. Therefore, we find it appropriate to grant Martin Downs' Motion to Intervene. Pursuant to Rule 25-22.039, Florida Administrative Code, Martin Downs takes the case as it finds it.

It is, therefore,

ORDERED by the Florida Public Service Commission that the Motion to Intervene filed by Martin Downs Utilities, Inc. is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents that are hereinafter filed in this proceeding, to F. Marshall Deterding, Rose, Sundstrom & Bentley, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301.

By ORDER of the Florida Public Service Commission, this 24th day of August, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

SFS

DOCUMENT NUMBER-DATE

09548 AUG 24 1992

1992 RECORDS / REPORTING

ORDER NO. PSC-92-0855-PCO-WS
DOCKET NO. 920763-WS
PAGE 2

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.