

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a Rate) DOCKET NO. 920148-WS
Increase in Pasco County by) ORDER NO. PSC-93-0853-PCO-WS
JASMINE LAKES UTILITIES) ISSUED: June 8, 1993
CORPORATION.)
_____)

ORDER GRANTING MOTION FOR SHORTENING TIME
FOR RESPONDING TO DISCOVERY REQUESTS

On June 2, 1993, the Office of Public Counsel (OPC) filed a Motion for Shortening Time for Responding to Discovery Requests. In this motion, OPC asked that the Prehearing Officer order Jasmine Lakes Utility Corporation (Jasmine or utility) to respond to OPC's sixth set of interrogatories and eighth request for production of documents by June 21, 1993. OPC served the aforementioned discovery request on Jasmine by hand delivery on June 2, 1993; absent an order by the Prehearing Officer, responses to the subject discovery requests would be due July 2, 1993. As OPC notes in its motion, the Order Establishing Procedure established a discovery cut-off of June 21, 1993, and the hearing in this matter is scheduled to begin on June 28, 1993.

In support of its motion, OPC asserts that it diligently pursued discovery in this case and conducted its discovery so as to avoid requesting duplicative and nonessential information. OPC states that most of the information solicited in the pending discovery was needed to follow-up on responses to earlier discovery, a tour of the utility's wastewater plant, and the depositions of two utility witnesses taken May 13, 1993. OPC alleges that none of the information sought should be difficult for the utility to obtain and provide, and OPC asks that the information be provided by June 21, 1993, in order for it to have time to analyze the information prior to the hearing.

The utility indicated to staff counsel, although not in writing, that it would be able to provide OPC responses to the pending discovery by the date requested, June 21, 1993.

In consideration of the foregoing, I grant OPC's motion. It does not appear that the subject discovery request came about because of a lack of diligence on OPC's part, and the utility raises no objection to providing the information by the date OPC requested. Therefore, the utility shall respond to OPC's sixth set of interrogatories and eighth request for production of documents by no later than June 21, 1993.

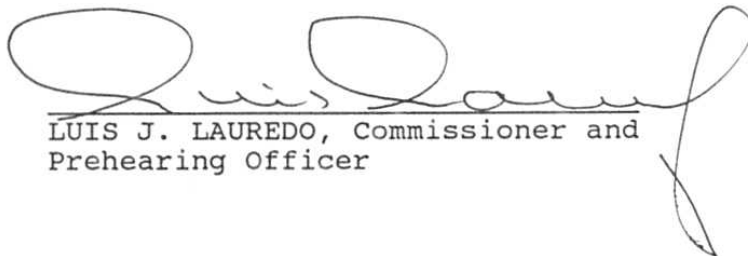
Based on the foregoing, it is, therefore,

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ORDERED by Commissioner Luis J. Lauredo, as Prehearing Officer, that OPC's Motion for Shortening Time for Responding to Discovery Requests is granted as set forth hereinabove.

By ORDER of Commissioner Luis J. Lauredo, as Prehearing Officer, this 8th day of June, 1993.



LUIS J. LAUREDO, Commissioner and
Prehearing Officer

(S E A L)

MJF

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.