BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a rate increase in Marion County by General Development Utilities, Inc. (Silver Springs Shores Division)

) DOCKET NO. 920733-WS

In Re: Application for a rate increase in Glades and Hendry Counties by General Development Utilities, Inc. (Port LaBelle Division)

) DOCKET NO. 920734-WS) ORDER NO. PSC-93-0875-PCO-WS) ISSUED: June 9, 1993

ORDER GRANTING GDU'S MOTION TO FILE ADDITIONAL REBUTTAL

On June 7, 1993, General Development Utilities, Inc. (GDU) filed a Motion for Leave to File Rebuttal to Mr. Lester's Testimony of May 28th for the purpose of responding to new matters raised by Staff Witness Lester's testimony. OPC has indicated that it does not object to this motion.

As grounds for the motion GDU alleges that: 1) is the party with the ultimate burden of proof, it has the due process right to rebut all testimony presented against it; 2) that the testimony filed by Staff Witness Lester on May 28 raised two new points which could have been raised earlier in supplemental testimony; 3) that if his testimony had been filed earlier, GDU would have had an opportunity to timely file rebuttal; 4) that no party's rights will be adversely affected by granting the Motion.

Based on the pleadings and based on the premise that GDU is entitled to rebut testimony presented against it, it is appropriate to grant GDU's motion.

It is, therefore,

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer that the Motion For Leave to File Rebuttal to Mr. Lester's Testimony of May 28th is hereby granted.

DOCUMENT NUMBER-DATE

06254 JUN-98

ORDER NO. PSC-93-0875-PCO-WS DOCKETS NOS. 920733-WS, 920734-WS PAGE 2

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 9th day of June , 1993.

SUSAN F. CLARK, Commissioner and Prehearing Officer

(SEAL)

CB/LAJ

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.