

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL FILE COPY

In re: Application of Southern States Utilities, Inc. and Deltona Utilities, Inc. for Increased Water and Wastewater Rates in Citrus, Nassau, Seminole, Osceola, Duval, Putnam, Charlotte, Lee, Lake, Orange, Marion, Volusia, Martin, Clay, Brevard, Highlands, Collier, Pasco, Hernando, and Washington Counties.

Docket No. 920199-WS Filed: November 10, 1993

CITRUS COUNTY'S AMENDED REQUEST FOR ORAL ARGUMENT

The Board of County Commissioners of Citrus County ("Citrus County"), by and through its undersigned attorneys, respectfully moves this Commission, to grant Oral Argument on Citrus County's Response In Opposition To Southern States' Motion To Vacate Automatic Stay and Motion For Reduced Interim Rates Pending Judicial Review, For Recalculated Customer Bills, Refunds And Imposition Of Penalties For Violating Automatic Stay. In support of its Amended Request for Oral Argument, Citrus County states:

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APP
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1. The instant case is clearly one of the most controversial heard by the Commission in recent times. It is sufficiently controversial, or unique, that the full Commission initiated an investigative docket (No. 930880) for the purpose of determining whether the uniform rate structure approved in Docket No. 920199-WS was, in fact, in the public interest.

2. Notwithstanding the Commission's initiation of Docket No. 930880-WS and the imposition of an Automatic Stay, pursuant to the Florida Rules of Appellate Procedure, Southern States

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willfully billed its customers the uniform rates in violation of the Automatic Stay and without first obtaining, or even seeking, the lifting of the Automatic Stay from either this Commission or the First District Court of Appeals.

3. Belatedly, Southern States filed with this Commission its Motion to Vacate Automatic Stay, arguing that no bond was necessary. Citrus County filed a responsive pleading in opposition to Southern States' Motion to Vacate Automatic Stay arguing that a bond could not be structured which would allow the uniform rates to be implemented, pending judicial review, that would not cause irreparable harm to many of the utility's customers.

4. The purpose of virtually all actions before the Commission is to educate the Commissioners on the facts and law of a case and, thereby, aid them in the making their decisions. Given the early history of this case and Southern States' recent violation of the judicial Automatic Stay, Citrus County assumed the desirability, if not necessity, for Oral Arguments would be self-evident. Apparently wishing to deny the Commission the educational enlightenment offered by oral arguments and the opportunity to personally explain its violation of the Automatic Stay, Southern States not only argues that arguments should not be had, but that they cannot.

5. By its Amended Request for Oral Argument, Citrus County would respectfully suggest that Oral Argument on these pleadings is not only desirable, but essential. If this necessity was not previously clear, an examination of Southern States' November 8,

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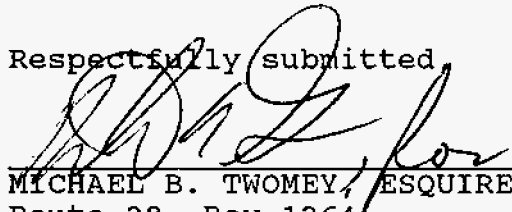
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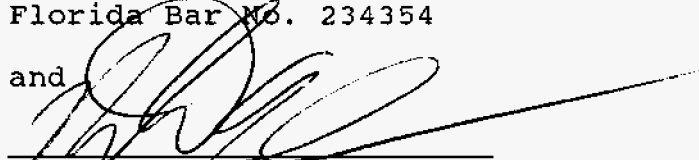
1993 Response to Citrus County's Motion, and a comparison of the two should evidence the need for the Commission to hear the parties explain their positions. These explanations, coupled with the opportunity to question the parties, should significantly aid the Commission in its comprehension and evaluation of the respective documents and their contrasting views. Given the history of this case and the allegation that a significant portion of Southern States' customers will be irreparably harmed by the continued implementation of the uniform rates, the Commission should welcome, if not demand, the opportunity to question the utility on why it unilaterally violated the Automatic Stay. It should also welcome the chance to question Citrus County on the irreparable damage to many consumers it sees flowing from the implementation of the uniform rates pending judicial review and the outcome of the Commission's investigation in Docket No. 930880-WS.

ACCORDINGLY, Citrus County respectfully requests that the Commission schedule and hear oral arguments on the parties' pleadings at its earliest opportunity.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been
furnished by U.S. Mail this 10th day of November, 1993 to the
following persons:

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