

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL
FILE COPY

IN RE: Application for rate) DOCKET NO.: 950495-WS
 increase and increase in service) FILED: MARCH 21, 1996
 availability charges by Southern)
 States Utilities, Inc. for Orange-)
 Osceola Utilities, Inc. in)
 Osceola County and in Bradford,)
 Brevard, Charlotte, Citrus,)
 Clay, Collier, Duval, Highlands,)
 Lake, Lee, Marion, Martin,)
 Nassau, Orange, Osceola, Pasco,)
 Putnam, Seminole, St. Johns,)
 St. Lucie, Volusia, and)
 Washington Counties.)

MOTION TO DISMISS

Citrus County, Intervenor, by and through its undersigned attorney, moves to dismiss the application for a rate increase by Southern States Utilities, Inc. ("Southern States") because of misconduct by Southern States interfering with due process rights of the parties. This misconduct includes (1) soliciting ex parte

ACK _____
 AFA 1 communications intended to influence the Commission, (2)
 APP _____
 CAF _____
 CMU _____
 CTR _____
 EAG _____
 LEG 1
 LIN 5 interference with the notice to customers, and (3) interference
 OFC _____
 RCH _____
 SEC 1
 WAS _____
 OTH _____
 with the citizens' right to counsel.

1. Citrus County does hereby adopt by reference the Motion to Dismiss filed on behalf of the Citizens of Florida ("Citizens") by 1 and through Jack Shreve, Public Counsel, Amelia Island Community Association, Residence Condominium, Residence Property Owners Association, Amelia Retreat Condominium Association, Amelia Surf Association, Amelia Surf Association, Amelia Surf Association, Amelia Surf Association and Racquet Property Owners Association and Sandpiper Association ("Nassau Associations"), by and through Arthur I. Jacobs, their attorney, the Concerned Citizens of Lehigh Acres ("Lehigh Acres"),

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FPSC-RECORDS/REPORTING

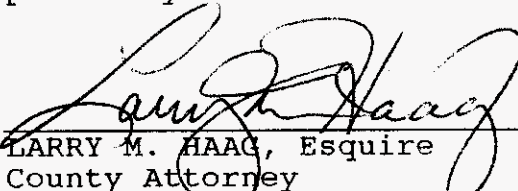
Sugarmill Woods Civic Association, Inc. ("Sugarmill Woods"), Spring Hill Civic Association, Inc. ("Spring Hill"), Marco Island Civic Association, Inc. ("Marco Island"), Harbour Woods Civic Association ("Harbour Woods"), and the Board of Supervisors for the East County Water Control District ("East County Water Control District"), by and through Michael B. Twomey, their attorney, together with the arguments and memorandums of law contained therein.

2. Citrus County has not been granted intervenor status at the time of filing this Motion, however, expects to be granted intervenor status by the Commission by virtue of its Petition for Leave to Intervene along with Amended Petition previously filed.

3. Citrus County requests the Public Service Commission to consider this Motion at the same time as that filed by Public Counsel and Michael B. Twomey so as to conserve the time of the Commission and counsel to the parties hereto.

WHEREFORE, CITRUS COUNTY requests the Commission to dismiss Southern States' application for a rate increase and to order a refund of all increased interim revenue collected so far by Southern States.

Respectfully submitted

BY: 
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to the following by United States Mail this 21st day of March, 1996.

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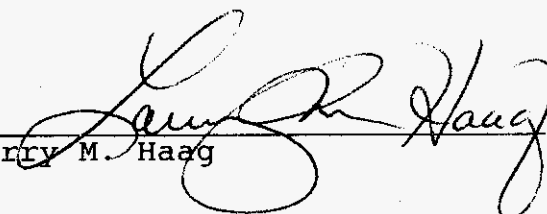
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