

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for approval) DOCKET NO. 950615-SU
of Reuse Project Plan and)
increase in wastewater rates in)
Pasco County by Aloha Utilities,)
Inc.)
_____)
In Re: Investigation of utility) DOCKET NO. 960545-WS
rates of Aloha Utilities, Inc.) ORDER NO. PSC-96-0882-PCO-SU
in Pasco County.) ISSUED: July 3, 1996
_____)

ORDER GRANTING, IN PART, PETITIONER'S MOTION FOR
ADDITIONAL TIME FOR FILING TESTIMONY
AND
REVISING ORDER ON PROCEDURE

On March 11, 1996, this Commission issued an Order Establishing Procedure for the Consolidated Dockets, Order No. PSC-96-0772-PCO-WS, which established requirements for discovery, filings, notice, testimony and exhibits, prehearing statements, prehearing conference, waiver of issues, document identification, controlling dates, and the use of confidential information. According to that Order, Intervenor's and/or Petitioner's direct testimony and exhibits were due to be filed on July 10, 1996.

On June 28, 1996, Petitioner Mike Fasano moved for a ten-day extension of time in which to file his direct testimony and exhibits. In support of his motion, Petitioner Fasano states that the consolidation of Docket No. 950615-SU with Docket No. 960545-WS will require additional inquiry and time to adequately address the issues. The time for responding to Petitioner Fasano's Motion has not expired. However, counsel for Aloha Utilities, Inc., (Aloha) has informed staff counsel that Aloha objects to any extension of time, but that if an extension is granted, then Aloha states that it should be given the same number of days extension for the filing of rebuttal testimony.

Based on time constraints and scheduling conflicts, Petitioner's request for a full ten days is denied. However, Petitioner Fasano is herein granted an eight-day extension of time in which to prefile testimony. Accordingly, other filing dates and the scheduling of the Prehearing Conference will be revised as set forth below:

DOCUMENT NUMBER-DATE

07150 JUL-3 8

FPSO-RECORDS/REPORTING

- | | |
|---|-----------------|
| 1) Intervenors' and/or Petitioners' direct testimony and exhibits | July 18, 1996 |
| 2) Staff's direct testimony and exhibits, if any | August 1, 1996 |
| 3) Rebuttal testimony and exhibits | August 27, 1996 |
| 4) Prehearing Conference | August 29, 1996 |

Order No. PSC-96-0772-PCO-WS is reaffirmed in all other respects.

Based on the foregoing, it is

ORDERED by Chairman Susan F. Clark, as Prehearing Officer, that Petitioner Mike Fasano's Motion for Additional Time for Filing Testimony is granted, in part, as set out in the body of this order. It is further

ORDERED that Order No. PSC-96-0772-PCO-WS is hereby revised as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-96-0772-PCO-WS is reaffirmed in all other respects.

By ORDER of Chairman Susan F. Clark, as Prehearing Officer, this 3rd day of July, 1996.



SUSAN F. CLARK, Chairman and
Prehearing Officer

(S E A L)

RRJ

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 25-22.0376, 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.