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BEN E. GIRTMAN
Attorney at Law

ORIGINAL
FILE COPY

1020 East Lafayette Street
Suite 207
Tallahassee, Florida 32301-4552

Telephone: (904) 656-3232
(904) 656-3233
Facsimile: (904) 656-3233

October 28, 1996

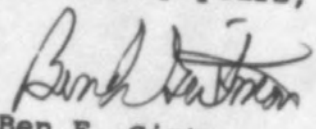
Florida Public Service Commission
Division of Water and Wastewater
ATTN: Ms. Bayo, Clerk
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Application for approval of the transfer of assets and certificate Nos. 404-W and 341-S from Econ Utilities Corporation to Wedgefield Utilities, Inc. in Orange County, Florida.

Dear Ms. Bayo:

Enclosed for filing are the original and fifteen copies of the Contingent Request for Hearing on Order No. PSC-96-1241-FOF-WS, including the Approval of Transfer and the Grant of Additional Territory.

Thank you for your assistance.

Sincerely yours,

Ben E. Girtman

BEG/jc
Encl.

cc w/encl.: Rob Vandiver, Esq., PSC General Counsel
Ms. Alice Crosby, PSC Legal
Mr. John Forrer
Mr. Carl Wenz

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10:00 AM

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for Transfer)
of Certificate Nos. 404-W and)
341-S in Orange County from Econ)
Utilities Corporation to)
Wedgefield Utilities, Inc.)
_____)

DOCKET NO. 960285-WS

In Re: Application for)
Amendment of Certificate Nos.)
404-W and 341-S in Orange County)
by Wedgefield Utilities, Inc.)
_____)

DOCKET NO. 960283-WS

Submitted for Filing:
October 28, 1996

CONTINGENT REQUEST FOR HEARING
ON ORDER NO. PSC-96-1241-FCF-WS, INCLUDING THE
APPROVAL OF TRANSFER AND THE GRANT OF ADDITIONAL TERRITORY

COMES NOW Utilities, Inc. and its wholly owned subsidiary, Wedgefield Utilities, Inc., and in support of its Contingent Request for Hearing states that:

1. On October 7, 1996, the Florida Public Service Commission issued its Order No. PSC-96-1241-FOF-WS (the Order) in the above styled dockets. The Order was identified as "Order Approving Transfer and Granting Amendment of Certificates to Include Additional Territory and Notice of Proposed Agency Action Order Establishing Rate Base for Purposes of the Transfer".

2. There has been no hearing on either the grant of certificate transfer, the grant of additional territory, or on the establishment of rate base for purposes of the transfer. Therefore, upon the timely filing of a request for hearing, any

matters contained in the Order must be subject to the proposed agency action (PAA) process, not just the establishment of rate base. The "Notice of Further Proceedings or Judicial Review" on pages 13 and 14 of the Order provide that any request for hearing on the Order must be filed with the Commission by the close of business on October 28, 1996.

3. The Office of Public Counsel (OPC) has intervened in the above-style proceeding, but as of Friday, October 25, 1996, has not indicated whether it will file a protest or request for hearing on that portion of the Order establishing rate base for purposes of the transfer.

4. In the event that the Office of Public Counsel or any other person or entity timely files a request for hearing on any portion of the Order, Utilities, Inc. and its wholly owned subsidiary, Wedgefield Utilities, Inc., request a hearing on all portions of the Order, including but not limited to those portions approving the transfer and granting amendment of certificates to include additional territory. Furthermore, the Petitioners reserve all their rights in this proceeding.

5. It appears that the OPC may use this case as a vehicle for challenging the Commission's long-standing policy of not granting positive or negative acquisition adjustments absent exceptional circumstances. If the OPC were to prevail, the "rules of the game" under which water and sewer utilities have been acquired will be significantly altered. Such a decision in this case would be a retroactive change of the rules. As such,

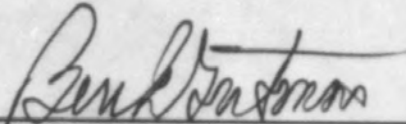
Utilities, Inc. would be required to re-evaluate the prudence of acquiring the Wedgefield utility systems. Consequently, Petitioners request that the transfer and service territory issues not be bifurcated from the rate base issue, if a timely protest or request for hearing is filed by October 28, 1996.

6. Therefore, the timely filing of a request for hearing by the Office of Public Counsel or by any other person or entity shall automatically trigger this contingent request for hearing on the transfer and on the amendment of the certificates granting additional territory, and all portions of the Order shall be null and void immediately upon that filing. If no protest or request for hearing is timely filed by OPC or by any other person or entity and the Order would otherwise become final in all respects but for this contingent request for hearing by Utilities, Inc. and Wedgefield Utilities, Inc., then this contingent request shall be deemed null and void and the Order shall be allowed to become final in all respects.

7. Petitioners reserve the right to withdraw the application for transfer and the application for amendment to include additional territory. They further reserve the right to challenge any request for hearing on that portion of the Order establishing rate base for purposes of the transfer as being in violation of the Florida Administrative Procedure Act, Chapter 120, Florida Statutes, as amended by Chapter 96-159, Laws of Florida (1996). Petitioners reserve all other claims, rights and defenses which may be available to them in this proceeding or in any other proceeding

before this or any other tribunal, including but not limited to the award of attorneys fees and costs and such other damages and remedies as may be awarded by any applicable administrative tribunal or court.

RESPECTFULLY SUBMITTED, this 28th day of October 1996.

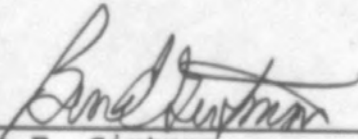


Ben E. Girtman
FL BAR NO.: 186039
1020 East Lafayette Street
Suite 207
Tallahassee, FL 32301
(904) 656-3232

Attorney for Petitioners,
Utilities, Inc. and
Wedgfield Utilities, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent to the Charles Beck, Esq., Office of Public Counsel, c/o The Florida Legislature, 111 W. Madison St., Tallahassee, FL 32399-1400; Mr. John Forrer, Econ Utilities, 1714 Hoban Rd. NW Washington, D.C. 20007; and to Rob Vandiver, General Counsel, and Ms. Alice Crosby, Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, by facsimile or by hand delivery and by U.S. Mail this 28th day of October 1996.



Ben E. Girtman