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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of )  
Southern States Utilities, )  
Inc. and Deltona Utilities, )  
Inc. for Increased Water and )  
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: February 28, 1997

**FLORIDA WATER SERVICES CORPORATION'S  
MOTION FOR STAY OF ORDER NO. PSC-97-0175-FOF-WS  
PENDING DISPOSITION OF MOTION FOR RECONSIDERATION**

Florida Water Services Corporation ("Florida Water"), formerly Southern States Utilities, Inc. by and through its undersigned counsel, hereby requests that the Commission grant a stay of that portion of Order No. PSC-97-0175-FOF-WS requiring Florida Water to implement modified stand-alone rates for its Spring Hill facilities pending disposition of Florida Water's motion for reconsideration of said order. In support of this Motion, Florida Water states as follows:

1. On March 3, 1997, Florida Water filed a motion for reconsideration of that portion of Order No. PSC-97-0175-FOF-WS modifying the plenary stay issued by the Commission pursuant to Order No. PSC-96-1311-FOF-WS and requiring Florida Water to implement modified stand-alone rates for its Spring Hill facilities.

2. Florida Water submits that it is administratively efficient to retain the current uniform rates pending disposition of its motion for reconsideration. If Florida Water is required to

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implement modified stand-alone rates and the Commission grants its motion for reconsideration, Florida Water will be required to incur unnecessary administrative expenses for the noticing and implementation of two rate changes within a relatively short time period. In addition, potential customer confusion associated with such potential rate changes will be avoided by maintaining the current uniform rates pending disposition of this issue before the Commission.

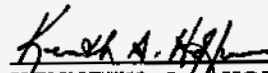
3. Should the Commission deny Florida Water's motion for reconsideration, Florida Water intends to appeal such decision to the First District Court of Appeal and to seek a stay of the implementation of the modified stand-alone rates pending the court's decision. Again, potential customer confusion and administrative costs incurred for the changing of rates within a relatively short timeframe will be avoided by maintaining the uniform rates for the Spring Hill facilities until this issue is finally resolved.

4. Rule 25-30.360(2), Florida Administrative Code, addresses a similar situation. Under that rule, a Commission ordered refund requirement is temporarily stayed pending the disposition of a timely filed motion for reconsideration. The rationale for the rule clearly is to avoid commencement of refunds when a party is entitled to a mandatory stay of a refund requirement should the party pursue the issue on appeal. See Fla.Admin. Code R. 25-22.061(1)(a). Florida Water notes that the mandatory stay provisions of Rule 25-22.061(1)(a), F.A.C., apply to both

Commission ordered refunds and reductions in rates. Accordingly, the rationale of Rule 25-30.360(2), F.A.C., should be similarly applied to the reduction of rates for the Spring Hill facilities and a temporary stay granted pending disposition of Florida Water's motion for reconsideration.

WHEREFORE, Florida Water respectfully request that the Commission enter an Order staying that portion of Order No. PSC-97-0175-FOF-WS modifying the full stay granted by Order No. PSC-96-1311-FOF-WS and requiring the implementation of modified stand-alone rates for Florida Water's Spring Hill facilities pending disposition of Florida Water's motion for reconsideration.

Respectfully submitted,



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CERTIFICATE OF SERVICE

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