

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Customers of)
Aloha Utilities, Inc. for deletion of)
a portion of territory in Seven)
Springs area in Pasco County.)
_____)

Docket No. 020896-WS

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ALOHA'S RESPONSE IN OPPOSITION
TO REQUESTED RECONSIDERATION

Aloha Utilities, Inc. (Aloha), by and through its undersigned counsel, hereby files this response in opposition to requested reconsideration and would state and allege as follows:

1. The request for reconsideration attached hereto has Composite Exhibit A have been filed in the above-referenced docket regarding Order No. PSC-02-1722-PCO-WS. The "motions" were not copied to Aloha as required by applicable Administrative Code Rule.

2. The attached request clearly do not properly seek reconsideration of Order No. PSC-02-1722-PCO-WS. The "motions" merely seek to complain about the content of the Order rather than to identify a point of fact or law which was overlooked or which the Commission failed to consider in rendering its Order. See e.g., *In Re: Petition for Review of Proposed Numbering Plan Relief for the 407/321 area codes by Neustar, Inc.*, Docket No. 010743-TL; Order No. PSC-02-0956-FOF-TL (2002).

3. Order No. 02-1722-PCO-WS accurately reflects the determination of the Commission and should not be reconsidered.

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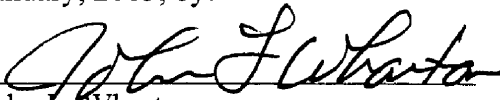
Rose, Sundstrom & Bentley, LLP

2548 Blaurstone Pines Drive, Tallahassee, Florida 32301

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WHEREFORE, and in consideration of the above, Aloha Utilities, Inc. respectfully requests the attached two "motions" be denied by the Commission.

Respectfully submitted this 9th day of
January, 2003, by:


John L. Wharton
F. Marshall Deterding
ROSE, SUNDTROM & BENTLEY, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
(850) 877-6555
(850) 656-4029 Fax
Attorneys for Aloha Utilities, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. Mail (*hand delivery) this 9th day of January, 2003, to:

Lorena Holley, Esquire*
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0873

V. Abraham Kurien, M.D.
1822 Orchardgrove Avenue
New Port Richey, FL 34655

Stephen C. Burgess, Esquire
Office of Public Counsel
111 Madison Street
Tallahassee, FL 32399-1400

Edward O. Wood
1043 Daleside Lane
New Port Richey, FL 34655-4293


John L. Wharton

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Mr. Edward O. Wood
1043 Daleside Lane
New Port Richey, FL. 34655-4293
December 16, 2002

ORIGINAL

Ms. Blanca S. Bayo, Director
Div of the Commission Clerk & Adm. Serv.
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL. 32399

RE: PSC Order No. 02-1722-PCO-WS Issued on 12/09/02, Docket No. 020896

Dear Ms. Jaber:

I am requesting reconsideration of subject PCO Order No. 02-1722-PCO-WS. I do not think the Order contains all that the Commission Agreed to at the Hearing in Tallahassee on November 19, 2002.


The Commission agreed to hold the Docket in abeyance. However there were other things that the Commission agreed to do that are not in the Order.

- 1.) Aloha Utilities and the Office of Public Counsel were told to petition the District Court to expedite the hearing of the appeal to Docket No. 010503-WU.
- 2.) The Commission Agreed that an Independent Audit of Aloha's processing and methodology should be under taken. Its purpose to determine the level of hydrogen sulfide present in Aloha water, does the Aloha process remove these elements all the time, and is there an excess of chlorine at times and insufficient at other times depending on demand. This is to be unannounced audit over a period of time.

The Office of Public Counsel accepted the responsibility to finance such a study of Aloha's process. It was recommended and accepted that the parties doing the study would be from one of the major Florida Universities. A person from the University of South Florida was recommended by Dr. A. Kurien. The OPC has been put in touch with this person. If this person was not acceptable then the OPC would look at other universities.

I believe these were all agreed to by the Commission, but not included in Order No. 02-1722 -PCO-WS

Sincerely



Edward O. Wood

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CC: Senator Mike Fasano
Stephen C. Burgess
Dr. V.A. Kurien
Chairman Lia A. Jaber, PSC

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V. Abraham Kurien, M.D
1822 Orchardgrove Avenue
NEW PORT RICHEY, FL 34655

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The Director,
Division of the Commission Clerk &
Administrative Services
PUBLIC SERVICE COMMISSION
2540 Shumard Oak Blvd
TALLAHASSEE, FL 32399-0850

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02 DEC 23 AM 10:13
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December 20, 2002

Dear Madam,

RE: RECONSIDERATION OF
ORDER NO PSC-02-1722-PCO-WS

I would like to request a reconsideration of this order so as to include a description of the nature of the discussions that took place at the hearing on November 19, 2002 with reference to DOCKET NO 020896-WS. Specifically I would like included in the order the discussion about an independent scientific audit of Aloha Utilities' processing methodologies and physical facilities requested by me and the permission given by the PSC for the Office of Public Counsel to finance and undertake such an audit by the University of South Florida.

Yours sincerely,

V. Abraham Kurien
V. Abraham Kurien, M.D.

Cc : Atty Steve Burgess
Office of Public Counsel

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