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January 15, 2003

**VIA HAND DELIVERY**

Blanca S. Bayo, Director  
Division of Records and Reporting  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399-0870

Re: Docket No.: 020413-SU

Dear Ms. Bayo:

On behalf of Adam Smith Enterprises, Inc. I am enclosing the original and 15 copies of the following:

- ▶ Adam Smith Enterprises, Inc.'s Request for Oral Argument

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and pleading by returning the same. Thank you for your assistance in this matter.

Yours truly,



Joseph A. McGlothlin

JAM/mls  
Enclosure

DOCUMENT NUMBER - DATE  
00466 JAN 15 03  
FPSC-COMMISSION CLERK

**BEFORE THE PUBLIC SERVICE COMMISSION**

In re: Initiation of show cause proceedings  
Against Aloha Utilities, Inc. in Pasco  
County for failure to charge approved  
Service availability charges, in violation  
Of Order No. PSC-01-0326-FOF-SU and  
Section 367.091, Florida Statutes

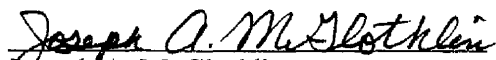
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Docket No. 020413-SU

Filed: January 15, 2003

**ADAM SMITH ENTERPRISES, INC.'S REQUEST ORAL ARGUMENT**

Adam Smith Enterprises, Inc. ("Adam Smith"), pursuant to Rule 25-22.058, Florida Administrative Code, files this Request for Oral Argument on its Motion to Confirm as Final the April 16, 2002 Effective Date of Revised Service Availability Tariff and Motion to Strike Testimony on Effective Date. In support of its request, Adam Smith submits that the subject motions relate to the determination of the effect of Section 120.80(13)(b) on the fundamental scope of the proceeding. In view of the significance of the issue, and of the important interplay between and among the mechanisms created by the Administrative Procedure Act, PAA order No. PSC-02-1250-SC-SU, and the protests filed in this case, oral argument will assist the Commission in determining the legal status of its proposed agency action and the issues remaining to be litigated.



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Attorneys for Adam Smith Enterprises, Inc.

**CERTIFICATE OF SERVICE**

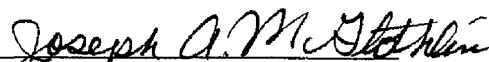
I **HEREBY CERTIFY** that a true and correct copy of Adam Smith Enterprises, Inc.'s Request for Oral Argument was sent via (\*)Hand Delivery, (\*\*) Electronic mail or U.S. Mail on this 15th day of January 2003 to the following:

(\*)Rosanne Gervasi  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Blvd  
Tallahassee, FL 32399-0850

(\*)Harold McLean  
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(\*\*)Suzanne Brownless, P.A.  
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Joseph A. McGlothlin