

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of) DOCKET NO. 880294-WS
Certificates 416-W and 351-S from)
FOX RUN UTILITIES, INC. in Martin) ORDER NO. 21803-A
County to SOUTHERN STATES UTILITIES,)
INC.) ISSUED: 9/14/89
_____)

AMENDATORY ORDER

BY THE COMMISSION:

By Order No. 19860, issued August 22, 1988, this Commission approved the transfer of Fox Run Utilities, Inc. (Fox Run) to Southern States Utilities, Inc. (Southern States). On June 19, 1989, by Order No. 21408, we proposed to establish rate base for Fox Run as of the date of transfer. On July 10, 1989, the Office of Public Counsel (OPC) filed a timely protest to Order No. 21408. This case is currently scheduled for an administrative hearing on December 18, 1989, with a prehearing conference to be held on November 20, 1989.

By Order No. 21803, issued August 29, 1989, the Prehearing Officer established a schedule to govern key activities in this case. Inadvertantly, at page five of Order No. 21803, the due date for Southern States' direct testimony is listed as being September 4, 1989. The actual due date for Southern States' direct testimony, as discussed at page two of Order No. 21803, is September 29, 1989. Accordingly, Order No. 21803 is hereby amended to reflect the actual due date of Southern States' direct testimony. All other provisions of Order No. 21803 remain unaffected by this Order.

It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. 21803 is hereby amended, at page five, to state that the direct testimony of Southern States Utilities, Inc. shall be due no later than September 29, 1989. It is further

ORDERED that Order No. 21803 is hereby affirmed in all other respects.

DOCUMENT NUMBER-DATE

09231 SEP 14 1989

FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission,
this 14th day of SEPTEMBER, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

RJP

by: Kay Flynn
Chief, Bureau of Records

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 25-22.038(2), 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 sewer 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.