

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a rate) DOCKET NO. 911030-WS
increase in Brevard County by)
GENERAL DEVELOPMENT UTILITIES,)
INC. (Port Malabar Division))
_____)

In re: Application for a rate) DOCKET NO. 911067-WS
increase by GENERAL DEVELOPMENT) ORDER NO. PSC-92-0989-PCO-WS
UTILITIES, INC. in Charlotte,) ISSUED: 9/14/92
DeSoto and Sarasota Counties)
_____)

SECOND ORDER REVISING PROCEDURE AND
SCHEDULING PENDING MATTERS

On August 17, 1992, the Office of Public Counsel (OPC) filed a Motion for Reconsideration of Order No. PSC-92-0774-PCO-WS, issued August 7, 1992, rescheduling the hearing in the above-referenced dockets for September 8 through 11, 1992. On August 18, 1992, the Cities of Palm Bay and North Port (the Cities) filed a Motion for Review by the Commission Panel of the Order Rescheduling Hearing. By Order No. PSC-92-0896-PCO-WS, issued August 27, 1992, the Prehearing Officer granted OPC's motion for reconsideration, the Cities' motion for review and continued the hearing.

The rescheduling of the hearing necessitates that pending pre-trial matters are to be scheduled as follows:

1. Late-filed exhibits related to the Customer Service Hearings shall be filed no later than ten days prior to hearing.
2. John Guastella's deposition shall be scheduled to occur no later than seven days prior to hearing. Any late-filed exhibits shall be filed no later than one day prior to hearing.
3. Cities' Motion for Official Recognition of Contract filed on May 8, 1992, shall be ruled on at the time of hearing.
4. Cities' Motion for Leave to File Supplemental Arguments on Jurisdictional Issues and Memorandums of Law with Attached Exhibits filed on May 8, 1992, shall be ruled on at the time of hearing.

RECEIVED BY DATE

10528 SEP 14 1992

PSC-REC'D 09/14/92

5. Kent Taylor's deposition shall be scheduled to occur no later than ten days prior to hearing. Any late-filed exhibits shall be filed no later than one day prior to hearing.
6. Rebuttal Testimony related to Kent Taylor's testimony shall be filed no later than seven days prior to hearing.
7. The Harris Corporation shall identify no later than ten days prior to hearing those issues in the Prehearing Order to which the Harris Corporation's proposed positions may apply.
8. The parties shall reach an agreement regarding the deposition of Larry Rutherford or inform the prehearing officer of failure to reach an agreement no later than thirty days prior to hearing.

Because this proceeding was continued near the time discovery was to have been completed pursuant to Order No. PSC-92-0432-PCO-WS, issued June 1, 1992, the only pending pre-trial matters are those discussed above. Therefore, no further discovery shall be permitted other than as outlined above.

Pursuant to Order No. PSC-92-0896-PCO-WS, the date of the hearing set forth in the Order Establishing Procedure shall be rescheduled as shown below:

Hearing	April 1-3, 1993
Briefs	April 15, 1993
Staff Recommendation	May 6, 1993
Agenda Conference	May 18, 1993
Final Order	June 8, 1993

Based on the foregoing, it is therefore

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the Order Establishing Procedure is revised as described in the body of this-Order. It is further

ORDER NO. PSC-92-0989-PCO-WS
DOCKETS NOS. 911030-WS & 911067-WS
PAGE 3

ORDERED that no further discovery is permitted, except as described in the body of this Order.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 14th day of SEPTEMBER, 1992.



SUSAN F. CLARK, Commissioner
and Prehearing Officer

(S E A L)

SFC/LAJ

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 wastewater 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.