

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Purchased Gas Adjustment) DOCKET NO. 930003-GU
(PGA) True-Up.) ORDER NO. PSC-93-0255-PCO-GU
) ISSUED: 02/16/93
)

Pursuant to Notice, a Prehearing Conference was held on February 11, 1993, in Tallahassee, Florida, before Chairman J. Terry Deason, as Prehearing Officer.

APPEARANCES:

WAYNE L. SCHIEFELBEIN, Esquire, Gatlin, Woods, Carlson & Cowdery, 1709-D Mahan Drive, Tallahassee, Florida 32308
On behalf of Chesapeake Utilities Corporation, Florida Division.

LEE L. WILLIS, Esquire, JAMES D. BEASLEY, Esquire, Ausley, McMullen, McGehee, Carothers and Proctor, Post Office Box 391, Tallahassee, Florida 32302
On behalf of City Gas Company of Florida.

LAURA L. WILSON, Esquire, Messer, Vickers, Caparello, Madsen, Lewis, Goldman & Metz, P. A., Post Office Box 1876, Tallahassee, FL 32302-1876
On behalf of Florida Public Utilities Company, South Florida Natural Gas Co. and West Florida Natural Gas Company

BRIAN J. POWERS, Indiantown Gas Company, Inc., P.O. Box 8, Indiantown, Florida 34956
On behalf of Indiantown Gas Company, Inc.

ANSLEY WATSON, JR., Esquire, MATTHEW R. COSTA, Esquire Macfarlane Ferguson, P.O. Box 1531, Tampa, Florida 33601
On behalf of Peoples Gas System, Inc.

JERRY H. MELENDY, JR., Sebring Gas System, Inc., 3515 U.S. Highway 27, South, Sebring, Florida 33870-5452
On behalf of Sebring Gas System, Inc.

STUART L. SHOAF, President, St. Joe Natural Gas Company, Inc., P.O. Box 549, Port St. Joe, Florida 32456
On Behalf of St. Joe Natural Gas Company.

JOHN ROGER HOWE, Esquire, Deputy Public Counsel, Office of Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400
On behalf of the Citizens of the State of Florida.

DOCUMENT NUMBER-DATE

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REGISTRATION

ROBERT V. ELIAS, Esquire, Staff Counsel, 101 E. Gaines Street, Tallahassee, Florida 32399-0863
On behalf of the Staff of the Florida Public Service Commission.

PRENTICE R. PRUITT, Esquire, 101 E. Gaines Street, Tallahassee, Florida 32399-0863
Counsel to the Commissioners

PREHEARING ORDER

I. CASE BACKGROUND

As part of the Commission's continuing fuel, energy conservation cost and purchased gas cost recovery proceedings, a hearing is set for February 17-19, 1993 in this docket and in Docket Nos. 930002-EG and 930001-EI. The following subjects were noticed for hearing in these dockets:

1. Determination of the Proposed Levelized Fuel Adjustment Factors for all investor-owned utilities for the period April, 1993 through September, 1993;
2. Determination of the Estimated Fuel Adjustment True-Up Amounts for all investor-owned electric utilities for the period October, 1992 through March, 1993, which are to be based on actual data for the period October, 1992 through November, 1992, and revised estimates for the period December, 1992 through March, 1993;
3. Determination of the Final Fuel Adjustment True-Up Amounts for all investor-owned electric utilities for the period April, 1992 through September, 1992, which are to be based on actual data for that period;
4. Determination of Projected Conservation Cost Recovery Factors for certain investor-owned electric and gas utilities for the period April, 1993 through September, 1993.
5. Determination of the Estimated Conservation True-Up Amounts for certain investor-owned electric and gas utilities for the period October, 1992 through March, 1993, which are to be based on actual data for the period October, 1992 through November, 1992

and revised estimates for the period December, 1992 through March, 1993.

6. Determination of the Final Conservation True-Up Amounts for certain investor-owned electric and gas utilities for the period April, 1992 through September, 1992, which are to be based on actual data for that period;
7. Determination of any Projected Oil Backout Cost Recovery Factors for the period April, 1993 through September, 1993, for the cost of approved oil backout projects to be recovered pursuant to the provisions of Rule 25-17.016, Florida Administrative Code.
8. Determination of the Estimated Oil Backout Cost Recovery True-Up Factors for the period October, 1992 through March, 1993, for the costs of approved oil backout projects to be recovered pursuant to the provisions of Rule 25-17.016, Florida Administrative Code, which are to be based on actual data for the period October, 1992 through November, 1992, and revised estimates for the period December, 1992 through March, 1993.
9. Determination of the Final Oil Backout True-Up Amounts for the period April, 1992 through September, 1992, which are to be based on actual data for that period;
10. Determination of Generating Performance Incentive Factor Targets and Ranges for the period April, 1993 through September, 1993;
11. Determination of Generating Performance Incentive Factor Rewards and Penalties for the period April, 1992 through September, 1992;
12. Determination of the Purchased Gas Adjustment Factors to be applied during the period April, 1993 through September 1993.

Prior to the prehearing conference all parties stipulated to the appropriate disposition of all issues identified for resolution in this docket. Accordingly, all witnesses have been excused from appearing and the case will be presented to the panel as a stipulation.

II. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

A. Any information provided pursuant to a discovery request for which proprietary confidential business information status is requested shall be treated by the Commission and the parties as confidential. The information shall be exempt from Section 119.07(1), Florida Statutes, pending a formal ruling on such request by the Commission, or upon the return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been used in the proceeding, it shall be returned expeditiously to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of the proceeding, it shall be returned to the person providing the information within the time periods set forth in Section 366.093(2), Florida Statutes.

B. It is the policy of the Florida Public Service Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 366.093, Florida Statutes, to protect proprietary confidential business information from disclosure outside the proceeding.

In the event it becomes necessary to use confidential information during the hearing, the following procedures will be observed:

- 1) Any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, Florida Statutes, shall notify the Prehearing Officer and all parties of record by the time of the Prehearing Conference, or if not known at that time, no later than seven (7) days prior to the beginning of the hearing. The notice shall include a procedure to assure that the confidential nature of the information is preserved as required by statute.
- 2) Failure of any party to comply with 1) above shall be grounds to deny the party the opportunity to present evidence which is proprietary confidential business information.
- 3) When confidential information is used in the hearing, parties must have copies for the Commissioners, necessary staff, and the Court Reporter, in envelopes clearly marked with the nature of the contents. Any party wishing to

examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.

- 4) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise the confidential information. Therefore, confidential information should be presented by written exhibit when reasonably possible to do so.
- 5) At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the Court Reporter shall be retained in the Commission Clerk's confidential files.

Post-hearing Procedures

Rule 25-22.056(3)(a), Florida Administrative Code, requires each party to file a post-hearing statement of issues and positions. You must include in that statement, a summary of each position of no more than 50 words, marked with an asterisk. In the absence of the summary statement, the prehearing position on that issue will be used in the staff recommendation. The rule also provides that any issue or position not included in the post-hearing statement is considered waived. If a party's position has not changed since the prehearing order was issued, the post-hearing statement can simply restate the prehearing position.

All post-hearing memoranda, including findings of fact, conclusions of law, statement of issues and positions, and briefs, shall total no more than 50 pages, and shall be filed simultaneously. Arguments in briefs must be identified by issue number. Proposed findings of fact and conclusions of law are not required. However, if proposed findings of fact are submitted, each one must cite to the record, identifying transcript page and line. All proposed findings of fact which relate to a particular issue shall be grouped together and shall identify the issue number to which they relate. Each proposed finding of fact shall be

separately and consecutively numbered. Any written statement which is not clearly designated as a proposed finding of fact shall be considered to be legal argument rather than a proposed finding of fact.

III. PREFILED TESTIMONY AND EXHIBITS

Testimony of all witnesses to be sponsored by the parties has been prefiled. All testimony which has been prefiled in this case will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to appropriate objections. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. After all parties and Staff have had the opportunity to object and cross-examine, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer.

IV. ORDER OF WITNESSES

<u>Witness (Direct)</u>	<u>Appearing For</u>	<u>Issues #</u>
A. M. Vincent	CUC	1-4
Jerry A. Wutzler	CGC	1-5
George Bachman	FPUC	1-5
Marc Schneidermann	FPUC	4
H. M. Grey, III	PGS	1-5
E. J. Kahl	SFNG	1-5
Stuart Shoaf	SJNG	All
Tom Goodwin	WFNG	1-5
J. Melendy, Jr.	SGS	1-5
Brian J. Powers	IGC	1-5

V. BASIC POSITIONS

CHESAPEAKE (CUC): The appropriate over (under) recovery amounts and purchased gas adjustment factor are as shown in the company's positions on issues 1 - 4.

CITY GAS COMPANY (CGC): The Commission should determine that City Gas has properly calculated its Purchased Gas Adjustment true-up and that the appropriate purchased gas adjustment factor to be applied by City Gas during the period April 1993 - September 1993 is \$.40682 per therm, including the regulatory assessment fee but excluding the gross receipts tax which is billed separately.

FLORIDA PUBLIC UTILITIES COMPANY (FPUC): Florida Public Utilities Company has properly calculated its true-up amounts and projected gas costs. Its costs and projections are reasonable and its purchased gas cost recovery factors should be approved.

INDIANTOWN GAS COMPANY, INC. (IGC): The Commission should approve the PGA true-up, including interest, and the PGA Factor of \$0.34868 per therm to be applied to customer bills rendered for the six month period ending September 30, 1993.

PEOPLES GAS SYSTEM, INC. (PGS): If PGS's petition for approval of a mid-course correction (filed herein on January 13, 1993) is approved by the Commission as filed, the Commission should approve PGS's final PGA true-up amount for the period April through September 1992 of \$2,057,429 (underrecovery), its estimated PGA true-up amount of \$4,567,386 (underrecovery) -- which gives effect to the estimated impact of the mid-course correction -- for the period October 1992 through March 1993, and its levelized PGA (cap factor of \$0.35566 per therm (which assumes the impact of the mid-course correction) for application for customers' bills during the period April 1 through September 30, 1993. If a mid-course correction is approved to become effective on a date other than February 1, 1993, the Commission should approve a levelized PGA factor, the calculation of which gives effect to the revenues to be derived therefrom, for the period.

If the Commission should deny approval for the mid-course correction sought by PGS, the Commission should approve, as filed by PGS, PGS's final PGA true-up amount for the period April through September 1992 of \$2,057,429 (underrecovery), its estimated PGA true-up amount of \$11,656,869 (underrecovery) for the period October 1992 through March 1993, and its levelized PGA (cap) factor of \$0.40129 per therm for application to customers' bills during the period April 1 through September 30, 1993.

SOUTH FLORIDA NATURAL GAS (SFNG): South Florida Natural Gas Co. has properly calculated its true-up amounts and projected gas costs. Its costs and projections are reasonable and its purchased gas cost recovery factor should be approved.

ST. JOE NATURAL GAS COMPANY, INC. (SJNG): The Commission should approve the Purchased Gas Adjustment (PGA) true-up amount for the six month period ending September 30, 1993 including interest, and the Six Month Levelized PGA Factor of \$0.30184 to be applied to customer bills rendered for the six month period ending September 30, 1993.

WEST FLORIDA NATURAL GAS COMPANY (WFNG): West Florida Natural Gas Company has properly calculated its true-up amounts and projected gas costs. Its costs and projections are reasonable and its purchased gas cost recovery factor should be approved.

THE CITIZENS OF THE STATE OF FLORIDA (OPC): None at this time.

THE STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION (STAFF):

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions.

VI. ISSUES AND POSITIONS

Issues preceded by an asterisk are fully stipulated.

Generic Purchased Gas Adjustment Issues

***ISSUE 1:** What are the appropriate final purchased gas adjustment true-up amounts for the period April, 1992 through September, 1992?

- CUC:** \$10,054 underrecovery. (Vincent)
CGC: \$173,421 overrecovery. (Wutzler)
FPUC: \$116,714 Overrecovery. (Bachman)
IGC: \$41,901 underrecovery. (Powers)
PGS: \$2,057,429 underrecovery. (Grey)
SJNG: \$32,586 underrecovery. (Shoaf)

SGS: \$1,197 underrecovery. (Melendy)

SFNG: \$18,642 overrecovery. (Kahl)

WFNG: \$223,379 overrecovery. (Goodwin)

OPC: CHESAPEAKE: Agree with Staff.
CITY GAS: Agree with Staff.
FPUC: Agree with Staff.
INDIANTOWN: Agree with Staff.
PEOPLES GAS: Agree with Staff.
ST. JOE: Agree with Staff.
SOUTH FLORIDA: Agree with Staff.
WEST FLORIDA: Agree with Staff.

STAFF:

Chesapeake Utilities Corporation	\$10,054	Underrecovery
City Gas Company of Florida	\$173,421	Overrecovery
Florida Public Utilities	\$116,714	Overrecovery
Indiantown Gas Company	\$41,901	Underrecovery
Peoples Gas System, Inc.	\$2,057,429	Underrecovery
Sebring Gas System, Inc.	\$1,197	Underrecovery
St. Joe Natural Gas Company	\$32,586	Underrecovery
South Florida Natural Gas Company	\$18,642	Overrecovery
West Florida Natural Gas Company	\$223,379	Overrecovery

***ISSUE 2:** What are the estimated purchased gas adjustment true-up amounts for the period October, 1992 through March, 1993?

CUC: \$266,509 underrecovery. (Vincent)

CGC: \$828,379 underrecovery. (Wutzler)

FPUC: \$582,954 Overrecovery. (Bachman)

IGC: \$110,251 underrecovery. (Powers)

PGS: \$4,567,386 underrecovery. (Grey)

SGS: \$13,980 underrecovery. (Melendy)

SFNG: \$20,046 underrecovery. (Kahl)

SJNG: \$0. (Shoaf)

WFNG: \$1,370,010 underrecovery. (Goodwin)

OPC: CHESAPEAKE: Agree with Staff.
CITY GAS: Agree with Staff.
FPUC: Agree with Staff.
INDIANTOWN: Agree with Staff.
PEOPLES GAS: Agree with Staff.
ST. JOE: Agree with Staff.
SOUTH FLORIDA: Agree with Staff.
WEST FLORIDA: Agree with Staff.

STAFF:

Chesapeake Utilities Corporation	\$266,509	Underrecovery
City Gas Company of Florida	\$828,379	Underrecovery
Florida Public Utilities	\$582,954	Overrecovery
Indiantown Gas Company	\$110,251	Underrecovery
Peoples Gas System, Inc.	\$4,567,386	Underrecovery
Sebring Gas System, Inc.	\$13,980	Underrecovery
St. Joe Natural Gas Company	\$ 0	
South Florida Natural Gas Company	\$20,046	Underrecovery
West Florida Natural Gas Company	\$1,370,010	Underrecovery

***ISSUE 3:** What are the total purchased gas adjustment true-up amounts to be collected during the period April, 1993 through September, 1993?

CUC: \$276,563 underrecovery. (Vincent)

CGC: \$654,958 underrecovery. (Wutzler)

FPUC: \$699,668 Overrecovery. (Bachman)

IGC: \$152,152 underrecovery. (Powers)

PGS: \$6,624,815 underrecovery. (Grey)

SGS: \$15,177 underrecovery. (Melendy)

SFNG: \$1,404 underrecovery. (Kahl)

SJNG: \$32,586 underrecovery. (Shoaf)

WFNG: \$1,146,631 underrecovery. (Goodwin)

OPC: CHESAPEAKE: Agree with Staff.
CITY GAS: Agree with Staff.
FPUC: Agree with Staff.
INDIANTOWN: Agree with Staff.

PEOPLES GAS: Agree with Staff.
ST. JOE: Agree with Staff.
SOUTH FLORIDA: Agree with Staff.
WEST FLORIDA: Agree with Staff.

STAFF:

Chesapeake Utilities Corporation	\$276,563	Underrecovery
City Gas Company of Florida	\$654,958	Underrecovery
Florida Public Utilities	\$699,668	Overrecovery
Indiantown Gas Company	\$152,152	Underrecovery
Peoples Gas System, Inc.	\$6,624,815	Underrecovery
Sebring Gas System, Inc.	\$15,177	Underrecovery
St. Joe Natural Gas Company	\$32,586	Underrecovery
South Florida Natural Gas Company	\$1,404	Underrecovery
West Florida Natural Gas Company	\$1,146,631	Underrecovery

***ISSUE 4:** What are the appropriate levelized purchased gas cost recovery (cap) factors for the period April, 1993 through September, 1993?

CUC: 27.382 cents per therm. (Vincent)

CGC: 40.682 cents per therm. (Wutzler)

FPUC: 29.374 cents per therm. (Bachman, Schneidermann)

IGC: 34.868 cents per therm. (Powers)

PGS: 35.566 cents per therm. (Grey)

SGS: 49.100 cents per therm. (Melendy)

SFNG: 36.733 cents per therm. (Kahl)

SJNG: 30.184 cents per therm. (Shoaf)

WFNG: 37.798 cents per therm. (Goodwin)

OPC: CHESAPEAKE: Agree with Staff.
CITY GAS: Agree with Staff.
FPUC: Agree with Staff.
INDIANTOWN: Agree with Staff.
PEOPLES GAS: Agree with Staff.
ST. JOE: Agree with Staff.
SOUTH FLORIDA: Agree with Staff.
WEST FLORIDA: Agree with Staff.

STAFF:

Chesapeake Utilities Corporation	27.382 cents per therm
City Gas Company of Florida	40.682 cents per therm
Florida Public Utilities	29.374 cents per therm
Indiantown Gas Company	34.868 cents per therm
Peoples Gas System, Inc.	35.566 cents per therm
Sebring Gas System, Inc.	49.100 cents per therm
St. Joe Natural Gas Company	30.184 cents per therm
South Florida Natural Gas Company	36.733 cents per therm
West Florida Natural Gas Company	37.798 cents per therm

***ISSUE 5:** What should be the effective date of the new purchased gas adjustment charge for billing purposes?

CUC: Agree with Staff. (Vincent)
CGC: Agree with Staff. (Wutzler)
FPUC: Agree with Staff. (Bachman)
IGC: Agree with Staff. (Powers)
PGS: Agree with Staff. (Grey)
SGS: Agree with Staff. (Melendy)
SFNG: Agree with Staff. (Kahl)
SJNG: Agree with Staff. (Shoaf)
WFNG: Agree with Staff. (Goodwin)
OPC: Agree with Staff.

STAFF: The factor should be effective for all meter readings on or after April 1, 1993, beginning with the first or applicable billing cycle for the period April, 1993 through September, 1993.

VII. EXHIBIT LIST

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
Vincent	CUC	AMV-1 (Composite)	April 1992 - September 1992 True-Up, Schedules A1 through A-8
Vincent	CUC	AMV-2 (Composite)	April 1993 - September 1993 PGA Factor, Schedules E1 through E-5P
Wutzler	CGC		Schedules A-1MF-AO through A-8, PGA Summary Calculation of True-Up for the Period April 1992 through September 1992; Schedules E-1/PFS-R, E-3P, E-4P, E-5P for the period October 1992 through March 1993 and E-1/PFS-O, E- 2, E-3P and E-5P for the period April 1993 - September 1993.
Bachman	FPUC	GMB-1 (Composite)	Schedules A-1/MF-AO, (GMB-1) (composite)A-1/MI-AO, A-2, A-3, A-4, A-5, A-6, A-7P, and A-8 for the months April, 1992 through September, 1992
Bachman	FPUC	GMB-2 (Composite)	Schedules E-1/PFS-O, (GMB-2) (composite)E-1/PIS-O, E-2, E-3P, E-4P and E-5P, which include original esti- mates for the period April, 1993 through September, 1993 and revised estimates for the period October, 1992 through March, 1993
Powers	IGC	E-1/PFS-0	PGA Summary of estimates for the projected period.

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
Powers	IGC	E-2	Calculation of true-up amount for the projected period based on the prior period and current period (2 month actual and 4 month estimated)
Powers	IGC	E-3P	Transportation purchases system supply and end use for the projected period.
Powers	IGC	E-4P	Calculation of true-up amount current period (2 months actual and 4 months estimated)
Grey	PGS	FJS-1	Calculation of final true-up for April - September 1992 (Schedule A-1/MF-AO through A-8)
Grey	PGS	HMG-1	Calculation of estimated true-up for October 1992 - March 1993
Grey	PGS	HMG-2	Calculation for PGA factor for April - September 1993 (Schedules E-1/PFS-0 through E-5P)
Kahl	SFNG	EJK-1 (composite)	Schedules A-1/MF-AO, A-2, A-3, A-4, A-5, A-6, A-7P, and A-8
Kahl	SFNG	EJK-2 (composite)	Revised Schedules E-1/PFS-0, E-1/PFS-R, E-2, E-4P and Original Schedule E-5P
Shoaf	SJNG	(SJNG-2) E-1/PFS-0	PGA Summary of estimates for the projected period
Shoaf	SJNG	(SJNG-1) E-2	Calculation of true-up amount for the projected period based on the prior period and current period (2 month actual 4 months estimated)

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
Goodwin	WFNG	TG-1 (composite)	Schedules A-1/F, TG-1 (composite) A-1/FR, A-2, A-3, A-4, A-5, A-6, A-7P, and A-8
Goodwin	WFNG	TG-2 (composite)	Schedules E-1/F, E-2, TG-2 (composite) E-3, and E-5 (original estimates for April, 1993 through September, 1993), Schedules E-1/FR, E-3, E-4 and E-5 (revised estimates for October, 1992 through March, 1993)
Melendy	SGS	composite	Schedules A-1/MF-A0, A-2, A-3, A-4, A-5, A-6, A-7P, and A-8 Revised Schedules E-1/PFS-0, E-1/PFS-R, E-2, E-4P and Original Schedule E-5P

Parties and Staff reserve the right to identify additional exhibits for the purpose of cross-examination.

VIII. PROPOSED STIPULATIONS

All issues identified in this prehearing order are fully stipulated.

IX. PENDING MOTIONS

None.

It is therefore,

ORDERED by Chairman J. Terry Deason, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Chairman J. Terry Deason, as Prehearing Officer, this 16th day of February, 1993.



J. Terry Deason, Chairman
and Prehearing Officer

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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,

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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.