

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 930851-SU
amendment of Certificate No.) ORDER NO. PSC-94-0962-PCO-SU
249-S in Volusia County by NORTH) ISSUED: August 9, 1994
PENINSULA UTILITIES CORPORATION.)
_____)

ORDER REVISING ORDER ESTABLISHING PROCEDURE

On July 20, 1994, this Commission issued an Order Establishing Procedure (Order No. PSC-94-0891-PCO-SU) which established requirements for discovery, filings, notice, testimony and exhibits, prehearing statements, prehearing conference, waiver of issues, document identification, controlling dates, the use of confidential information, and post-hearing procedures.

Because a pending decision by the Volusia County Council may cause one of the parties to withdraw its protest, it is appropriate to revise several of the controlling dates to allow time for testimony to be filed after that decision is made. Additionally, the formal hearing in this docket has been rescheduled from October 26, 1994, to November 1, 1994.

Therefore, the following dates shall control in this docket:

- 1) Utility's direct testimony and exhibits August 22, 1994
- 2) Intervenors direct testimony and exhibits September 14, 1994
- 3) Staff's direct testimony and exhibits, if any September 23, 1994
- 4) Rebuttal testimony and exhibits September 30, 1994
- 5) Prehearing Statements September 30, 1994
- 6) Prehearing Conference October 11, 1994
- 7) Hearing November 1, 1994
- 8) Briefs November 29, 1994

DOCUMENT NUMBER-DATE

08085 AUG-94

FPSC-RECORDS/REPORTING

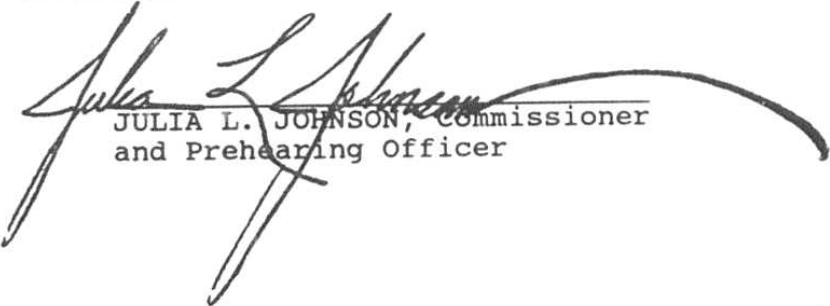
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Based upon the foregoing, it is

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that Order No. PSC-94-0891-PCO-SU is hereby revised as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-94-0891-PCO-SU is reaffirmed in all other respects.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 9th day of August, 1994.


JULIA L. JOHNSON, Commissioner
and Prehearing Officer

(S E A L)

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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, 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.