

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate ) DOCKET NO. 950495-WS  
increase and increase in service ) ORDER NO. PSC-96-0235-PCO-WS  
availability charges by Southern ) ISSUED: February 19, 1996  
States Utilities, Inc. for )  
Orange-Osceola Utilities, Inc. )  
in Osceola County, and in )  
Bradford, Brevard, Charlotte, )  
Citrus, Clay, Collier, Duval, )  
Highlands, Lake, Lee, Marion, )  
Martin, Nassau, Orange, Osceola, )  
Pasco, Putnam, Seminole, St. )  
Johns, St. Lucie, Volusia, and )  
Washington Counties. )

ORDER ON OBJECTION TO DOCUMENT REQUEST NO. 283 FROM THE OFFICE OF  
PUBLIC COUNSEL'S SIXTEENTH SET OF DOCUMENT REQUESTS AND MOTION  
FOR PROTECTIVE ORDER

On December 4, 1995, Southern States Utilities, Inc., (Southern States or utility) filed an Objection to Document Request No. 283 from the Office of Public Counsel's (OPC) Sixteenth Set of Document Requests and Motion for Protective Order. OPC did not file a response to the motion.

By Document Request No. 283, OPC requests the following information:

According to DR16-A, page 40 of 112, Lake Gibson Estates [wastewater treatment plant] has significant inflow/infiltration problems. Provide any documents in the Company's possession that discuss the level of inflow and infiltration and any corrective actions taken or planned.

In support of its objection and motion for protective order, SSU observes that the Lake Gibson Estates wastewater service area is located in Polk County, and that by Order No. PSC-95-1385-FOF-WS, issued November 7, 1995, in this docket, the Commission removed from this docket the service areas served by SSU in Polk, Hernando, and Hillsborough Counties. SSU argues that any information associated with the operation of the facilities serving the Lake Gibson Estates service area is not relevant in this docket, is not likely to lead to the production of relevant information, and can have no impact on SSU's requested revenue requirements.

DOCUMENT NUMBER-DATE  
01900 FEB 19 96  
FPSC-RECORDS/REPORTING


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Because it appears that the solicited information would only affect the individual rate base or expense items for the Lake Gibson Estates wastewater treatment plant, which plant is not under consideration in this docket, and because OPC has not argued to the contrary, SSU's motion for a protective order is hereby granted. The utility shall not be required to respond to Document Request No. 283.

Based on the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that Southern States Utilities, Inc.'s, Motion for Protective Order is hereby granted.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 19th day of February, 1996.

  
DIANE K. KIESLING, Commissioner and  
Prehearing Officer

( S E A L )

RGC

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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.