

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate) DOCKET NO. 950495-WS
increase and increase in service) ORDER NO. PSC-96-0510-PCO-WS
availability charges by Southern) ISSUED: April 15, 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 GRANTING PUBLIC COUNSEL'S MOTION
TO EXPEDITE DISCOVERY RESPONSES

Pursuant to Order No. PSC-95-1506-PCO-WS, issued December 5, 1995, discovery in this docket must be completed by April 22, 1996. On March 29, 1996, the Office of Public Counsel (OPC) filed a motion requesting that the Commission require Southern States Utilities, Inc., (SSU or utility) to respond to OPC's 22nd set of interrogatories and 26th set of requests for production of documents by April 22, 1996. On April 5, 1996, SSU timely filed a response to OPC's motion.

In support of its motion, OPC asserts that its discovery requests, filed on March 29, 1996, address the rebuttal testimony filed by SSU on March 22, 1996. OPC contends that its request to file responses within 24 days will not unduly burden SSU. In its response, SSU states that it does not object to responding to OPC's 26th Set of Requests for Production of Documents by April 22, 1996, if OPC responds by May 1, 1996, to any discovery SSU serves on OPC by April 9, 1996. SSU appears to suggest that the remedy to this situation is an extension of the date for completion of discovery.

The date for filing rebuttal testimony was originally established as March 12, 1996. By Order No. PSC-96-0324-PCO-WS, issued March 5, 1996, SSU's request for an extension of time to file its rebuttal testimony was granted. OPC's discovery appears to relate to SSU's rebuttal testimony. OPC should be afforded sufficient time to prepare for hearing and OPC's request does not appear to be burdensome on SSU. Accordingly, OPC's motion to expedite discovery responses is granted. SSU shall respond to OPC's 22nd set of interrogatories and 26th set of requests for

DOCUMENT NUMBER-DATE

04264 APR 15 96

FPSC-RECORDS/REPORTING

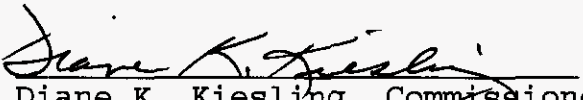
ORDER NO. PSC-96-0510-PCO-WS
DOCKET NO. 950495-WS
PAGE 2

proper motion regarding its request for expedited responses to its proposed discovery to OPC, this Order does not address SSU's proposal.

Based upon the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Motion to Require Discovery Responses by April 22, 1996, filed by the Office of Public Counsel is hereby granted as set forth in the body of this Order.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 15th day of April, 1996.


Diane K. Kiesling, Commissioner
and Prehearing Officer

(S E A L)

MEO

ORDER NO. PSC-96-0510-PCO-WS
DOCKET NO. 950495-WS
PAGE 3

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.