

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate) DOCKET NO. 950495-WS
increase and increase in service) ORDER NO. PSC-96-0528-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 INTERVENTION

On February 15, 1996, Citrus County (County), by and through its attorney, Larry M. Haag, Esquire, filed a petition for leave to intervene in this docket both as a customer of Southern States Utilities, Inc., (SSU or utility) and on behalf of its substantially interested citizens.

On February 26, 1996, SSU filed a response to the County's petition. On February 27, 1996, SSU filed an amended response to include certain language from Subsection 120.52(12)(d), Florida Statutes, which was inadvertently omitted from its initial response. SSU argued that the County's standing to participate in this proceeding should be limited to its status and standing as an SSU customer because it failed to attach a resolution of the Board of County Commissioners authorizing it to represent all SSU customers residing in the County, pursuant to Subsection 120.52(12)(d), Florida Statutes.

On March 12, 1996, the County filed an amended petition for leave to intervene. In support of its amended petition, the County states that it is entitled to participate in this proceeding because the substantial interests of a great many of its citizens will be affected by the Commission's final decision in this docket. Moreover, the County states that as a customer of SSU, it will be directly impacted by the Commission's decision; that it is entitled to be a party in accordance with Rule 25-22, Florida Administrative Code; and that it was previously allowed to intervene in SSU's last rate case, Docket No. 920199-WS, in order to protect its substantial interests and the substantial interests of its citizens. Moreover, pursuant to Subsection 120.52(12)(d), Florida Statutes, the County attached a certified copy of a Resolution of the Board of County Commissioners authorizing the County Attorney's

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Office to intervene in this docket on behalf of the substantial interests of residents of the County who are serviced by SSU and who will be impacted by SSU's pending application in this docket.

Upon review of the pleadings, it appears that as a customer of SSU, the County's substantial interests may be affected by this proceeding. It also appears that, pursuant to Subsection 120.52(12)(d), Florida Statutes, the substantial interests of a significant number of residents of the County who are serviced by SSU may be affected, as well. Therefore, the County's request to intervene in this docket shall be granted. The County may intervene both as a customer of SSU and on behalf of its substantially interested citizens.

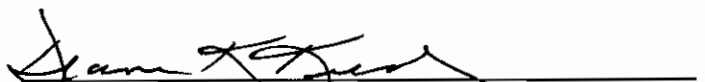
Pursuant to Rule 25-22.039, Florida Administrative Code, the County takes the case as it finds it. All parties to this docket shall furnish copies of all testimony, exhibits, pleadings, and other documents that are hereinafter filed in this docket to Larry M. Haag, Esquire, 111 West Main Street, Suite B, Inverness, Florida 34450.

Based on the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Amended Petition for Leave to Intervene filed by Citrus County is hereby granted, as set forth in the body of this Order. It is further

ORDERED that all parties to this docket shall furnish copies of all testimony, exhibits, pleadings, and other documents that are hereinafter filed in this docket to Larry M. Haag, Esquire, 111 West Main Street, Suite B, Inverness, Florida 34450.

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


DIANE K. KIESLING, Commissioner 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 25-22.0376, 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.