

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer  
of Certificates Nos. 592-W and  
509-S from Cypress Lakes  
Associates, Ltd. to Cypress  
Lakes Utilities, Inc. In Polk  
County.

DOCKET NO. 971220-WS  
ORDER NO. PSC-99-0104-PCO-WS  
ISSUED: January 21, 1999

ORDER REVISING ORDER ESTABLISHING PROCEDURE

On September 19, 1997, Cypress Lakes Associates, Ltd. (Cypress Lakes or utility) filed an application for approval of the transfer of Certificates Nos. 592-W and 509-S to Cypress Lakes Utilities, Inc. (CLUI) pursuant to Section 367.071, Florida Statutes. By Order No. PSC-98-0993-FOF-WS, issued July 20, 1998, the transfer was approved by final agency action and rate base was established for purposes of the transfer as proposed agency action. On August 10, 1998, the Office of Public Counsel timely filed a Petition for Section 120.57(1) Hearing and Protest of Proposed Agency Action.

By Order No. PSC-98-1213-PCO-WS, issued September 14, 1998, this matter was scheduled for an administrative hearing and controlling dates were established to govern this proceeding. The Commission's calendar has subsequently required revisions in order to accomodate other scheduling requirements. Accordingly, Order No. PSC-98-1213-PCO-WS is hereby revised to reflect the following controlling dates.

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|---|----------------|
| 1) Utility's direct testimony<br>and exhibits       | March 26, 1999 |
| 2) Intervenors' direct testimony<br>and exhibits    | April 16, 1999 |
| 3) Staff's direct testimony<br>and exhibits, if any | May 7, 1999    |
| 4) Rebuttal testimony<br>and exhibits               | May 28, 1999   |
| 5) Prehearing Statements                            | June 14, 1999  |
| 6) Prehearing Conference                            | July 15, 1999  |

DOCUMENT NUMBER-DATE

00804 JAN 21 99

FPSC-RECORDS REPORTING

- |            |                 |
|------------|-----------------|
| 7) Hearing | August 3, 1999  |
| 8) Briefs  | August 31, 1999 |

Discovery in this proceeding shall be completed by July 27, 1999. Except as modified herein, Order No. PSC-98-1213-PCO-WS is hereby reaffirmed in all respects.

Based upon the foregoing, it is

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that Order No. PSC-98-1213-PCO-WS is hereby revised as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-98-1213-PCO-WS is reaffirmed in all other respects.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 21st day of January, 1999.

  
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SUSAN F. CLARK  
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 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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.