

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for rate increase and increase in service availability charges by Southern 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, Pasco, Putnam, Seminole, St. Johns, St. Lucie, Volusia, and Washington Counties.

DOCKET NO. 950495-WS
ORDER NO. PSC-99-0590-PCO-WS
ISSUED: March 31, 1999

ORDER ACKNOWLEDGING WITHDRAWAL OF STAFF'S INTERROGATORIES
NUMBERS ONE AND FOUR AND DOCUMENT REQUEST NUMBER ONE
ON REMAND TO FLORIDA WATER SERVICES CORPORATION AND FINDING
MOTION FOR PROTECTIVE ORDER MOOT

On February 19, 1999, Commission staff served their first Set of Interrogatories and First Request for Production of Documents (PODs) on Remand on Florida Water Services Corporation (Florida Water or utility). On February 23, 1999, the Office of Public Counsel (OPC) filed its First Request for Production of Documents. In its POD No. 1, OPC requested that it be provided all documents requested by staff. On March 1, 1999, Florida Water filed its Objections to Staff's First Set of Interrogatories and First Request for Production of Documents on Remand and Motion for Protective Order.

By its filing, Florida Water objected to staff's Interrogatories Nos. 1 and 4, and POD No. 1. However, on March 12, 1999, staff filed notice of withdrawal of its Interrogatory No. 1 and POD No. 1.¹ Further, on March 26, 1999, staff filed notice of withdrawal of its Interrogatory No. 4. Staff's withdrawal of these discovery requests is hereby acknowledged. As the withdrawal of

¹On February 23, 1999, OPC filed its First Request for PODs. By its POD No. 1, OPC requested that it be provided all documents requested by staff. It is noted that OPC had no objection to the withdrawal of staff's POD No. 1.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORDER NO. PSC-99-0590-PCO-WS
DOCKET NO. 950495-WS
PAGE 2


these discovery requests renders Florida Water's motion for protective order moot, no ruling on the motion is necessary.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that staff's Notices of Withdrawal of its Interrogatories Nos. 1 and 4 from its First Set of Interrogatories on Remand and its Document Request No. 1 from its First Request for Production of Documents on Remand to Florida Water Services Corporation are hereby acknowledged. It is further

ORDERED that the Motion of Florida Water Services Corporation for a Protective Order on staff's Interrogatories Nos. 1 and 4 from its First Set of Interrogatories on Remand and staff's Document Request No. 1 from its First Request for Production of Documents on Remand is moot as those requests have been withdrawn.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 31st day of March, 1999.



J. TERRY DEASON
Commissioner and Prehearing Officer

(S E A L)

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ORDER NO. PSC-99-0590-PCO-WS
DOCKET NO. 950495-WS
PAGE 3

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(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.