

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of utility
rates of Aloha Utilities, Inc.
In Pasco County.

DOCKET NO. 960545-WS
ORDER NO. PSC-99-2285-PCO-WS
ISSUED: November 22, 1999

ORDER GRANTING MOTION FOR CONTINUANCE

This matter was scheduled for a formal hearing on December 13-14, 1999, in Pasco County, Florida, to address quality of service issues. However, on November 15, 1999, all parties were advised that the hearing dates had been moved to December 16-17, 1999.

On November 16, 1999, the Office of Public Counsel on behalf of Intervenor Mike Fasano and the Citizens of the State of Florida (Intervenors), filed Intervenors' Motion for Continuance of Hearing (Motion). By letter dated November 19, 1999, the utility responded to this Motion.

In their Motion, the Intervenors note that there is a "lessened availability of a hearing room or site of adequate size to accommodate the number of customers and other interested persons" expected to attend. In addition, the Intervenors state that many customers who will be affected by the resolution of this docket will be away from the service area during the holidays. Also, the Intervenors state that many customers, relying on the original hearing dates, scheduled their departure immediately thereafter and prior to the December 16-17, 1999 dates. Therefore, the Intervenors request that the hearing be continued in order for adequate facilities to be obtained and to allow for the participation of all customers who may wish to attend.

By letter dated November 19, 1999, the utility responded to the Intervenors' Motion. In that letter, noting that further delay would just increase costs, the utility states that it would prefer to have the hearing as originally scheduled on December 13-14, 1999, or even on the alternative dates of December 16-17, 1999. However, while the utility would prefer no further delay, it states that it will not oppose the Intervenors' Motion.

Having reviewed the Motion and the utility's letter, it appears that a continuance is warranted, and the Chairman's office

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has canceled the December 16-17, 1999 hearing dates with the hearing to be rescheduled for another time.

Based on the foregoing, it is

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the Motion for Continuance filed by the Intervenors is hereby granted as set forth above.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 22nd day of November, 1999.



SUSAN F. CLARK
Commissioner and Prehearing Officer

(S E A L)

JKF

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.

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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.