

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for
certificates to operate a water
and wastewater utility in Duval
and St. Johns Counties by
Intercoastal Utilities, Inc.

DOCKET NO. 992040-WS

In re: Application for original
certificates to operate water
and wastewater utility in Duval
and St. Johns Counties by
Nocatee Utility Corporation.

DOCKET NO. 990696-WS
ORDER NO. PSC-00-0393-PCO-WS
ISSUED: February 23, 2000

ORDER GRANTING JACKSONVILLE ELECTRIC AUTHORITY'S
PETITION FOR INTERVENTION

BY THE COMMISSION:

On June 1, 1999, Nocatee Utility Corporation (NUC or utility) filed an application for an original certificate for a proposed water and wastewater system. NUC's proposed system would be located in and providing service to areas within St. Johns County, Florida (St. Johns) and Duval County, Florida (Duval). However, Intercoastal Utilities, Inc. (Intercoastal) filed a timely objection to NUC's application on June 30, 1999. Accordingly, this matter is set for an administrative hearing.

By petition filed February 7, 2000, the Jacksonville Electric Authority (JEA), requests leave to intervene in the above-captioned proceeding. In support of its petition, JEA states that it has a substantial interest in seeing that NUC's application is approved because it has signed a Letter of Intent to provide wholesale water and wastewater service to NUC. No timely response in opposition to the petition has been filed.

Pursuant to Rule 25-22.039, Florida Administrative Code, a motion for leave to intervene must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the proceeding.

DOCUMENT NUMBER-DATE

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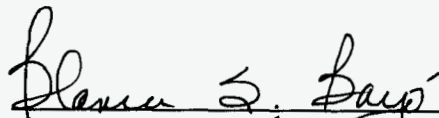
For the reasons stated in JEA's petition, it appears that JEA's substantial interests may be affected by this proceeding. Therefore, JEA's petition is granted. Furthermore, pursuant to Rule 25-22.039, Florida Administrative Code, JEA, as intervenor, takes the case as it finds it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Jacksonville Electric Authority's Petition for Intervention is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all pleadings and other documents that are hereinafter filed to Kenneth A. Hoffman and J. Stephen Menton, Esquires, Rutledge, Ecenia, Purnell, & Hoffman, P.A., P.O. Box 551, Tallahassee, Florida 32302, and to Michael B. Wedner, Esquire, St. James Building, Ste. 480, 117 West Duval Street, Jacksonville, Florida 32202, counsel for Jacksonville Electric Authority.

By ORDER of the Florida Public Service Commission this 23rd day of February, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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.