

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase  
in water rates in Orange County  
by Wedgefield Utilities, Inc.

DOCKET NO. 991437-WU  
ORDER NO. PSC-01-0544-PCO-WU  
ISSUED: March 8, 2001

SECOND ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

On November 3, 2000, Wedgefield Utilities, Inc. (Wedgefield or utility) filed a Motion for Summary Final Order and Motion to Amend Motion to Strike and Dismiss the Office of Public Counsel's Petition Requesting Section 120.57 Hearing and Protest of Proposed Agency Action.

On December 13, 2000, the Commission issued Order No. PSC-00-2388-AS-WU, denying Wedgefield's Motion for Summary Final Order without prejudice. On January 12, 2001, Wedgefield filed a Request for Oral Argument and a Petition for Writ of Certiorari with the First District Court of Appeal (First DCA) to reverse Order No. PSC-00-2388-AS-WU. By Order No. PSC-00-2365-PCO-WU, issued December 8, 2000, all discovery efforts and controlling dates were held in abeyance, and were to be reset upon completion of the appellate proceedings.

On February 13, 2001, the First DCA issued its order treating the petition for Writ of Certiorari as a Petition for Review of Non-final Agency Action. The Court also denied Wedgefield's Motion for Oral Argument, and by per curiam opinion, the court denied Wedgefield's Petition for Review of Non-final Agency Action. The First DCA's mandate was issued March 1, 2001, requiring that further proceedings be conducted in accordance with the Court's opinion.

Therefore, the dates set forth in the Order Establishing Procedure, Order No. PSC-00-1895-PCO-WU, issued October 16, 2000, as modified by Order No. PSC-00-2182-PCO-WU, issued November 15, 2000, are further modified as follows:

- 1) Intervenor's direct testimony  
and exhibits, if any May 14, 2001
- 2) Staff's direct testimony  
and exhibits, if any May 31, 2001

DOCUMENT NUMBER-DATE

03008 MAR-85

PSC-RECORDS/REPORTING

- |                                       |                  |
|---------------------------------------|------------------|
| 3) Rebuttal testimony<br>and exhibits | June 11, 2001    |
| 4) Prehearing Statements              | June 25, 2001    |
| 5) Prehearing Conference              | July 9, 2001     |
| 6) Hearing                            | July 25-26, 2001 |
| 7) Briefs                             | August 24, 2001  |

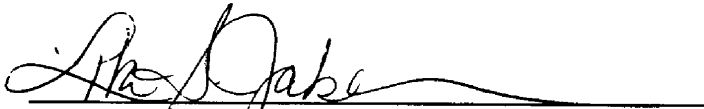
Further, the discovery expiration date shall be July 18, 2001. Except as modified herein, Order No. PSC-00-1895-PCO-WU is affirmed in all other respects.

Based on the foregoing, it is

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that Order No. PSC-00-1895-PCO-WU, issued October 16, 2000, as modified by Order No. PSC-00-2182-PCO-WU, issued November 15, 2000, is further modified as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-00-1895-PCO-WU is hereby affirmed in all other respects.

By ORDER of Commissioner Lila A. Jaber, as Prehearing Officer, this 8th day of March, 2001.

  
LILA A. JABER  
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.

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.