

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-01-1054-PCO-WU  
ISSUED: May 2, 2001

ORDER DENYING WEDGEFIELD'S MOTION TO  
RESCHEDULE PREHEARING CONFERENCE DATE

On April 20, 2001, Wedgefield Utilities, Inc. (Wedgefield or utility) filed a Motion to Reschedule Prehearing Conference Date. By Order No. PSC-01-0544-PCO-WU, issued March 8, 2001 (Second Order Modifying Order Establishing Procedure), the prehearing conference has been scheduled for July 9, 2001.

In support of its Motion, Wedgefield states that its consultant, Mr. Frank Seidman, has a conflict with the prehearing date due to a long-standing commitment for which he will be out of the country until July 10, 2001. Wedgefield states that the Office of Public Counsel and staff have no objection to the Motion, if an alternative date is reasonably available.

Prehearing conferences serve to ensure that the issues to be tried by the Commission are genuinely at issue, and that if so, they are as sharply defined as possible. The prehearing conference is not a substitute for the hearing, it is a precursor thereto. Able counsel are expected by the Commission to arrive at the prehearing conference fully advised in the premises to accomplish these ends. Thus counsel, along with the Prehearing Officer, are the principal participants in the prehearing conference. Counsel are sometimes assisted at the prehearing conference by expert advisors, and the Commission has not opposed the practice; but the prime responsibility of outlining party's positions before the Prehearing Officer remains that of counsel. There may be extraordinary circumstances in which the absence of an expert advisor could affect the effectiveness of counsel, but Wedgefield has not alleged as much in its Motion. Wedgefield appears in this docket by seasoned counsel fully able to see to the duties and responsibilities of the prehearing conference.


Based on the foregoing, it is

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that Wedgefield Utilities, Inc.'s Motion to Reschedule Prehearing Conference Date is hereby denied.

DOCUMENT NUMBER-DATE  
05552 MAY-26  
REGISTRATION REPORTING

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By ORDER of Commissioner Lila A. Jaber, as Prehearing Officer,  
this 2nd day of May, 2001.

  
LILA A. JABER  
Commissioner and Prehearing Officer

( S E A L )

PAC

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

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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.