

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into  
proposed sale of Florida Water  
Services Corporation.

DOCKET NO. 021066-WS  
ORDER NO. PSC-03-0343-PCO-WS  
ISSUED: March 10, 2003

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition filed February 21, 2003, The City of Marco Island (the City or Marco Island) requests leave to intervene in this proceeding. In support of its Petition, Marco Island states that it has a substantial and material interest in this case in that the water and wastewater systems owned and operated by Florida Water Services Corporation (FWSC) provide service to the City, and to thousands of its residents and visitors, and the sale of such assets to Florida Water Services Authority (FWSA) will affect the provision and cost of such services to the City. Furthermore, the City and its residents will be substantially affected by: (i) the payment of rates and charges collected for service on Marco Island and paid to the City of Gulf Breeze and the City of Milton through the FWSA; (ii) the stated intent of the FWSA to increase connection charges to customers on Marco Island; and, (iii) the alleged complete lack of accountability of the FWSA with regard to rates, fees, charges, quality of service, capital improvements, and the use of water resources affecting the City and its residents. No response in opposition to the Petition has been filed.

Having reviewed the Petition, it appears that the City's substantial interests may be affected by this proceeding. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, the City takes the case as it finds it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene, filed by the City of Marco Island, is hereby granted. It is further

DOCUMENT NUMBER-DATE

J2366 MAR 10 3

FRONT DESK CLERK

ORDER NO. PSC-03-0343-PCO-WS  
DOCKET NO. 021066-WS  
PAGE 2

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents that are hereinafter filed in this proceeding, to John R. Jenkins, Esquire, Rose, Sundstrom & Bentley, LLP, 2548 Blainstone Pines Drive, Tallahassee, Florida 32301.

By ORDER of the Florida Public Service Commission this 10th day of March, 2003.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Marcia Sharma  
Marcia Sharma, Assistant Director  
Division of the Commission Clerk  
and Administrative Services

( S E A L )

LAH

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.

ORDER NO. PSC-03-0343-PCO-WS  
DOCKET NO. 021066-WS  
PAGE 3

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; or (2) 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 the Commission Clerk and Administrative Services, 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.