

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval
of new class of service for bulk
wastewater service in Lee County
by Forest Utilities, Inc.

DOCKET NO. 030748-SU
ORDER NO. PSC-03-0998-PCO-SU
ISSUED: September 4, 2003

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition filed August 25, 2003, Lee County, Florida (Lee County), requests leave to intervene in this proceeding. In support of its Petition, Lee County states that it has a direct, substantial, and legislatively recognized interest in the matter referenced in this docket. Lee County asserts that it has a clear statutory right to intervene pursuant to Section 367.091(2), Florida Statutes, as the governing body of a County wherein an entity with a corresponding service area has made a request for new rates. No response in opposition to the Petition has been filed.

Having reviewed the Petition, it appears that Lee County's substantial interests may be affected by this proceeding. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, Lee County 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 Lee County, is hereby granted. It is further

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 Robert Scheffel Wright, Esquire and John T. LaVia, III, Esquire, Landers & Parsons, P.A., 310 West College Avenue (32301), Post Office Box 271, Tallahassee, Florida 32302; and David M. Owen, Esquire, Chief Assistant Lee County Attorney, 2115 Second Street, 6th Floor (33901), Post Office Box 398, Fort Myers, Florida 33902.

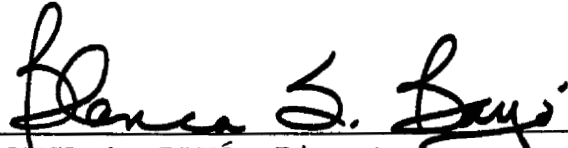
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By ORDER of the Florida Public Service Commission this 4th Day
of September, 2003.



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

(S E A L)

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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

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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.