

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition by customers of Aloha Utilities, Inc. for deletion of portion of territory in Seven Springs area in Pasco County.

DOCKET NO. 020896-WS

In re: Application for increase in water rates for Seven Springs System in Pasco County by Aloha Utilities, Inc.

DOCKET NO. 010503-WU

ORDER NO. PSC-04-1001-PCO-WS

ISSUED: October 15, 2004

ORDER REQUIRING RESPONSE TO STAFF'S MOTION TO COMPEL
AND OBJECTION TO DISCOVERY REQUESTS BY OCTOBER 19, 2004

BY THE COMMISSION:

On October 14, 2004, the Commission staff filed its Motion to Compel and to Shorten Time, requesting, among other things, that Aloha Utilities, Inc. (Aloha or utility) file its written objections, if any, to the Commission's First Request for Production of Documents (Nos. 1-2) and its response to the Motion to Compel by Tuesday, October 19, 2004.

Pursuant to Rule 28-106.204(1), Florida Administrative Code, parties may file a response in opposition to a written motion within seven days of service thereof, when time allows. Upon review of the motion, I find that time does not allow for a seven day response time in this instance. In order to be considered in ruling on the motion, Aloha's written objections, if any, to the Commission's First Request for Production of Documents to Aloha (Nos. 1-2) and its response to the staff's Motion to Compel shall be filed by Tuesday, October 19, 2004. A ruling on the Motion to Compel will be expeditiously issued thereafter.

It is, therefore,

ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that in order to be considered in a ruling on staff's Motion to Compel and to Shorten Time, Aloha's written objections, if any, to the Commission's First Request for Production of Documents to Aloha (Nos. 1-2) and its response to the Motion to Compel shall be filed by Tuesday, October 19, 2004.


DOCUMENT NUMBER DATE

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FPSC-COMMISSION CLERK

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By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this
15th day of October, 2004



RUDOLPH "RUDY" BRADLEY
Commissioner and Prehearing Officer

(SEAL)

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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; 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.