

BEFORE THE PUBLIC SERVICE COMMISSION

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-05-0069-PCO-WU
ISSUED: January 19, 2005

ORDER CONFIRMING HEARING AND CONTROLLING DATES FOR THIS DOCKET

BY THE COMMISSION:

At the January 4, 2005 Agenda Conference, the Commission voted to close Docket No. 020896-WS and cancel the service hearings scheduled for January 27 and 28, 2005, but continue to hearing in Docket No. 010503-WU. The purpose of the hearing in Docket No. 010503-WU is to address the partial protest of Proposed Agency Action Order No. PSC-04-0712-PAA-WS (PAA Order) in which the Commission modified the standard for the removal of hydrogen sulfide in the water of Aloha Utilities, Inc. (Aloha). The specifics of that modification are still in dispute.

Dockets Nos. 010503-WU and 020896-WS were consolidated for purposes of hearing by Order No. PSC-04-0929-PCO-WS (Consolidation Order), issued September 22, 2004. Pursuant to the Consolidation Order, the provisions of the Order Establishing Procedure, Order No. PSC-04-0728-PCO-WS, issued July 27, 2004, in Docket No. 020896-WS, were made applicable to the protest of the PAA Order in Docket No. 010503-WU.

The controlling dates for both dockets were modified by Order No. PSC-04-1217-PCO-WS (Order Modifying Controlling Dates), issued December 9, 2004. The controlling dates set forth in the Order Modifying Controlling Dates shall continue to control the hearing for the partial protest of the PAA Order in Docket No. 010503-WU. Because of the cancellation of the portion of the hearing that addressed Docket No. 020896-WS, only one hearing day is necessary for the Commission to hear the case. The hearing will now be on March 8, 2005, in Tallahassee, Florida.

Controlling Dates

The following dates will now govern the key activities of this case.

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|---|-------------------|
| 1) Company/Intervenors' direct testimony and exhibits | January 7, 2005 |
| 2) Staff's direct testimony and exhibits, if any | January 25, 2005 |
| 3) Rebuttal testimony and exhibits | February 15, 2005 |
| 4) Prehearing Statements | February 15, 2005 |

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| 5) Discovery cut-off date | February 22, 2005 |
| 6) Prehearing Conference | February 24, 2005 |
| 7) Hearing | March 8, 2005 |
| 8) Briefs | April 7, 2005 |


Except as modified above, all other provisions of Orders Nos. PSC-04-0728-PCO-WS and PSC-04-1217-PCO-WS shall remain in effect.

It is, therefore,

ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that the controlling dates shall be as set forth in the body of this Order and shall govern this case. It is further

ORDERED that, except as modified in this Order, all other provisions of Orders Nos. PSC-04-0728-PCO-WS and PSC-04-1217-PCO-WS shall remain in effect.

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this 19th day of January, 2005.


RUDOLPH "RUDY" BRADLEY
Commissioner and Prehearing Officer

(S E A L)

RRJ

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.