

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for original certificates for proposed water and wastewater systems, in Hernando and Pasco Counties, and request for initial rates and charges, by Skyland Utilities, LLC.

DOCKET NO. 090478-WS  
ORDER NO. PSC-10-0432-PCO-WS  
ISSUED: July 6, 2010

ORDER GRANTING HERNANDO COUNTY'S MOTION  
TO WITHDRAW PAUL WIECZOREK AS WITNESS

On October 16, 2009, Skyland Utilities, LLC, (Skyland or Utility) filed an application for original certificates to operate a water and wastewater utility in Hernando and Pasco Counties and for approval of initial rates and charges. According to the application, the Utility proposes to provide potable and non-potable water and wastewater services to customers in southeastern Hernando and northeastern Pasco Counties. The Utility asserts that the proposed interconnections will transverse county lines.

On June 25, 2010, Hernando County (Hernando) timely filed a motion to withdraw its witness, Paul Wieczorek. In its motion, Hernando argued that when Hernando listed its intended witnesses they were unsure if its witness, Ronald F. Pianta, AICP, Planning Director for Hernando County, would be available for the formal hearing. To be cautious, Hernando additionally listed Paul Wieczorek as a witness.

Hernando states that witness Pianta is available for the formal hearing and will be attending, therefore witness Wieczorek's testimony is no longer needed. Hernando asserts that witness Wieczorek's testimony would be redundant of witness Pianta's testimony. It states that witness Wieczorek is a Senior Planner for Hernando County under witness Pianta and witness Wieczorek's testimony would be limited to indicating that he had read the Direct Testimony of witness Pianta and agrees with the Direct Testimony. No party has objected to the Motion.

Having reviewed the Motion, I find it appropriate to grant the unopposed Hernando County Motion to Withdraw Paul Wieczorek as Witness from this proceeding.

Based on the foregoing, it is

ORDERED by Commissioner Nathan A. Skop, as Prehearing Officer, that the Motion to Withdraw Paul Wieczorek as Witness is hereby granted.

DOCUMENT NUMBER - DATE

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FPSO-COMMISSION CLERK

By ORDER of Commissioner Nathan A. Skop, as Prehearing Officer, this 6th day of July, 2010.



NATHAN A. SKOP  
Commissioner and Prehearing Officer

(SEAL)

LCB/klj

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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.