

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties by Utilities, Inc. of Florida.

DOCKET NO. 160101-WS
ORDER NO. PSC-17-0143-PCO-WS
ISSUED: April 27, 2017

ORDER REQUESTING ADDITIONAL COMMENTS CONCERNING PETITION FOR INTERVENTION BY SUMMERTREE WATER ALLIANCE

Having reviewed the Petition to Intervene of the Summertree Water Alliance and Utilities, Inc. of Florida's Response in opposition, I request written comments from the Summertree Water Alliance and any other party by Friday, April 28, 2017, at 5:00 p.m., concerning whether the Summertree Water Alliance meets the three prong associational standing test set out in Florida Home Builders v. Dept. of Labor and Employment Security, 412 So. 2d 351 (Fla. 1982), and Farmworker Rights Organization, Inc. v. Dept. of Health and Rehabilitative Services, 417 So. 2d 753 (Fla. 1st DCA 1982). Specifically, comments are requested concerning whether Summertree Water Alliance can demonstrate: (1) a substantial number of its members may be substantially affected by the Commission's decision in Docket No. 160101-WS; (2) the subject matter of the proceeding is within Summertree's general scope of interest and activity; and (3) the relief requested is of a type appropriate for Summertree Water Alliance to receive on behalf of its members. This request is made under Rule 28-106.211, Florida Administrative Code, "to prevent delay" and "to promote the just, speedy, and inexpensive determination of all aspects of the case." The comments must be filed in Docket No. 160101-WS. The order on intervention will consider any comments received under this request, as well as Summertree Water Alliance's petition and Utilities, Inc. of Florida's response in opposition.

It is, therefore,

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that Summertree Water Alliance file additional comments concerning its Petition to Intervene as described above. Any other party may also file comments.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 27th day
of April, 2017.



RONALD A. BRISE

Commissioner and Prehearing Officer

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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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-

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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.