

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of DEBARY)	DOCKET NO. 890792-WS
ASSOCIATES, INC. for staff-assisted)	ORDER NO. 23492
rate case in Volusia County)	ISSUED: 9-17-90
_____)		

ORDER GRANTING PETITION TO INTERVENE

BY THE COMMISSION:

By Petition filed August 28, 1990, Joseph M. Kalinyak requested to intervene in this proceeding. In support of his petition, Mr. Kalinyak states that he is a customer of DeBary Associates, Inc., and that his substantial interests will be affected by the Commission's decision in this docket, as that decision will dictate the water and wastewater rates that he will be charged.

Upon review, it appears that Mr. Kalinyak's substantial interests are subject to determination or will be affected by this proceeding. Accordingly, his petition is granted. Pursuant to Rule 25-22.039, Florida Administrative Code, however, Mr. Kalinyak takes the case as he finds it.

It is, therefore,

ORDERED by the Florida Public Service Commission that the petition to intervene filed by Joseph M. Kalinyak 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 Joseph M. Kalinyak, 173 Pine Tree Drive, DeBary, Florida 32713.

By ORDER of the Florida Public Service Commission, this 17th day of SEPTEMBER, 1990.


 STEVE TRIBBLE, Director
 Division of Records and Reporting

(S E A L)

RJP

DOCUMENT NUMBER-DATE

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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 sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, 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.