

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a staff- ) DOCKET NO. 930524-WS  
assisted rate case in Marion ) ORDER NO. PSC-94-1413-PCO-WS  
County by TRADEWINDS UTILITIES, ) ISSUED: November 17, 1994  
INC. )  
\_\_\_\_\_ )

ORDER GRANTING UTILITY'S SECOND REQUEST  
FOR ADDITIONAL TIME TO FILE TESTIMONY

AND

REVISING ORDER ESTABLISHING PROCEDURE

By Proposed Agency Action Order No. PSC-94-0245-FOF-WS, issued March 4, 1994, this Commission proposed increased water and wastewater rates and charges for Tradewinds Utilities, Inc. (Tradewinds). On March 25, 1994, several customers of Tradewinds filed a protest to Order No. PSC-94-0245-FOF-WS, primarily with regards to Tradewinds' quality of service. Pursuant to that protest, this matter was scheduled for a hearing. By Order No. PSC-94-0587-PCO-WS (Order Establishing Procedure), issued May 18, 1994, the dates for filing testimony were set. On September 19, 1994, Tradewinds filed a written request for thirty additional days to file its testimony. By Order No. PSC-94-1192-PCO-WS, issued September 29, 1994, that request was granted.

On November 3, 1994, Tradewinds filed its second request to submit its testimony late. Tradewinds requests a new date, November 21, 1994, to prefile its testimony. Tradewinds has signed a proposed stipulation, and while the Office of Public Counsel (OPC) has not intervened, it is actively working with the customers in obtaining their signatures to the stipulation. OPC has represented that it anticipates that it will collect the remaining signatures before November 30, 1994. It is apparent that Tradewinds has failed to formally serve the other parties with notice of its request for additional time. However, OPC is aware of the request and has stated that it has no objection; and the utility has been working with OPC directly and not the individual customers. Nevertheless, since OPC has not formally intervened, it is appropriate to consider any potential harm to all intervening customers. Having done that, it appears that granting the additional time will not prejudice any party, Staff, or the public.

To ensure that sufficient time has been allotted for the possible stipulation, the utility shall have until November 30, 1994, to file its testimony. Intervenor and staff testimony shall be filed by December 7, 1994. No further extensions of time for

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testimony will be given. Orders Nos. PSC-94-0587-PCO-WS and PSC-94-1192-PCO-WS, are hereby revised to the extent set forth below. Those Orders are reaffirmed in all other respects.

Utility Testimony and Exhibits	November 30, 1994
Intervenor Testimony and Exhibits	December 7, 1994
Staff Testimony and Exhibits	December 7, 1994
Rebuttal Testimony and Exhibits	December 13, 1994
Prehearing Statements	December 13, 1994
Prehearing Conference	December 16, 1994
Hearing	January 18-19, 1995

Based on the foregoing, it is, therefore,

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that Tradewinds Utilities, Inc.'s request for additional time to prefile its testimony is hereby granted to the extent set forth above. It is further

ORDERED that Orders Nos. PSC-94-0587-PCO-WS and PSC-94-1192-PCO-WS are revised to the extent set forth above. Those Orders are reaffirmed in all other aspects.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 17th day of November, 1994.

  
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SUSAN F. CLARK, Commissioner and  
Prehearing Officer

( S E A L )

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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 wastewater 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.