

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation Into) DOCKET NO. 930945-WS
Florida Public Service) ORDER NO. PSC-95-0444-PCO-WS
Commission Jurisdiction over) ISSUED: April 5, 1995
Southern States Utilities, Inc.,)
in Florida.)
_____)

ORDER GRANTING MOTION FOR CLARIFICATION

By Order No. PSC-94-0686-DS-WS, issued June 6, 1994, this Commission denied a petition by Southern States Utilities, Inc. (SSU), for a declaratory statement regarding our jurisdiction over SSU's operations in Hillsborough and Polk County under Section 367.171(7), Florida Statutes; however, we also initiated an investigation into our jurisdiction over SSU on a statewide, as opposed to a county by county, basis.

On January 23, 24, and 25, 1995, we held an administrative hearing in this case. On February 21, 1995, along with their post-hearing filings, Hernando, Hillsborough, and Sarasota County filed requests for oral argument. Their requests were granted by Order No. PSC-95-0369-PCO-WS, issued March 15, 1995. Oral argument is currently scheduled to be held on April 7, 1995.

On March 30, 1995, Polk County filed a motion for clarification of Order No. PSC-95-0369-PCO-WS. Polk County seeks clarification as to whether all parties, or only those parties who filed requests for oral argument, may participate at oral argument.

Although the Prehearing Officer does not believe that Order No. PSC-95-0369-PCO-WS is unclear, Polk County is correct that it never states, in so many words, that all parties may participate at oral argument. Accordingly, to the extent that it is necessary to clear up any confusion, Order No. PSC-95-0369-PCO-WS is hereby clarified to expressly state that all parties may participate at oral argument.

It is, therefore,


ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that Polk County's motion for clarification is granted. It is further

ORDERED that all parties to this proceeding may participate at oral argument.

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By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 5th day of April, 1995.



JULIA L. JOHNSON, Commissioner and
Prehearing Officer

(S E A L)

RJP

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.