

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate ) DOCKET NO. 950495-WS  
increase and increase in service ) ORDER NO. PSC-95-1143-PCO-WS  
availability charges by Southern ) ISSUED: September 14, 1995  
States Utilities, Inc., for )  
Orange-Osceola Utilities, Inc., )  
in Osceola County, and in )  
Bradford, Brevard, Charlotte, )  
Citrus, Clay, Collier, Duval, )  
Highlands, Lake, Lee, Marion, )  
Martin, Nassau, Orange, Osceola, )  
Pasco, Putnam, Seminole, St. )  
Johns, St. Lucie, Volusia, and )  
Washington Counties )

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ORDER GRANTING INTERVENTION

By petition filed August 16, 1995, the Marco Island Civic Association, Inc., (Marco Island) by and through its attorney, Michael B. Twomey, Esquire, requests leave to intervene in this proceeding. In support of its petition, Marco Island states that the rate application of Southern States Utilities, Inc., (SSU) includes a request for increased water and wastewater rates to its members and that the substantial interests of its members will be determined by the proceeding.

In addition to requesting leave to intervene and permission to participate in this proceeding with full rights as a party, Marco Island has also requested that the Order Granting Intervention: 1) direct SSU to immediately serve Marco Island with a full and complete copy of its petition, testimony, and all supporting documentation filed with the Commission, its staff, and other parties; 2) direct Commission staff and other parties to this case to serve upon Marco Island copies of all documents either filed with the Commission or served upon other parties up to, and including, the date of this Order; and 3) direct the parties to this docket to serve all documents relating to this proceeding on both its attorney and its President who is located on Marco Island, Florida.

No responses to Marco Island's petition were received. Having reviewed the petition, it appears that Marco Island's substantial interests may be affected by this proceeding. Therefore, Marco Island's request to intervene is hereby granted.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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However, pursuant to Rule 25-22.039, Florida Administrative Code, Marco Island takes the case as it finds it. Therefore, Marco Island's request that parties be directed to serve Marco Island with all previously filed documents is hereby denied. Marco Island may inspect all documents on file at the Division of Records and Reporting and may either make copies or obtain documents through discovery. In addition, Marco Island's request that all documents be served on Marco Island's President, in addition to Marco Island's counsel of record, is also denied. Parties shall only be required to serve documents on Marco Island's counsel of record.

Based on the foregoing, it is, therefore,

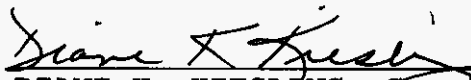
ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Petition filed by the Marco Island Civic Association, Inc., for Leave to Intervene is hereby granted to the extent set forth in the body of this Order. It is further

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 Michael B. Twomey, Esquire, Route 28, Box 1264, Tallahassee, Florida 32310. It is further

ORDERED that the request to require the Commission and parties to serve Marco Island Civic Association, Inc., with all documents filed prior to the date of this Order is hereby denied. It is further

ORDERED that the request of Marco Island Civic Association, Inc., that all documents be served on its President, in addition to its counsel, is hereby denied.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 14th day of September, 1995.

  
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DIANE K. KIESLING, 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.