

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate) DOCKET NO. 950495-WS
increase and increase in service) ORDER NO. PSC-95-1260-PCO-WS
availability charges by Southern) ISSUED: October 13, 1995
States Utilities, Inc. for)
Orange-Osceola Utilities, Inc.)
in Osceola County, and in)
Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval,)
Hernando, Highlands,)
Hillsborough, Lake, Lee, Marion,)
Martin, Nassau, Orange, Osceola,)
Pasco, Polk, Putnam, Seminole,)
St. Johns, St. Lucie, Volusia,)
and Washington Counties.)

ORDER ESTABLISHING SECOND CUSTOMER SERVICE HEARING
FOR ORANGE AND OSCEOLA COUNTIES

On June 28, 1995, Southern States Utilities, Inc., (SSU or utility) filed an application for increased water and wastewater rates, allowance for funds prudently invested, and service availability charges. Consequently, by Orders Nos. PSC-95-0829-PCO-WS, issued July 12, 1995, and PSC-95-0990-PCO-WS, issued August 11, 1995, various customer service hearings were scheduled to take place throughout SSU's service territory. By Order No. PSC-95-0829-PCO-WS, SSU was required to provide written notice of the date, time, location, and purpose of each scheduled service hearing to all customers residing in the respective service area, pursuant to Rule 25-22.0407(6) (a), Florida Administrative Code.

By Order No. PSC-95-0990-PCO-WS, a customer service hearing was scheduled to be held in Osceola County on September 19, 1995. Approximately one week before the service hearing, SSU informed this Commission that the customers of Orange-Osceola Utilities, Inc. (OOU), had been inadvertently omitted from the notice list for the Osceola County customer service hearing because at that time, the transfer of OOU to SSU was still pending before the Commission and those customers were not yet on the mailing or billing list.¹ However, SSU did provide timely notice by publication in a local newspaper in accordance with Rule 25-22.0407(7), Florida Administrative Code. Because approximately 6,000 customers in

¹On September 26, 1995, the Commission approved the transfer in Docket No. 941151-WS.

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SSU's Orange and Osceola County service areas did receive timely notice of the service hearing and because newspaper notice had been published, the Commission held the service hearing at the scheduled time and place.

However, in order to rectify the above-described noticing deficiency, a second customer service hearing has been scheduled for Osceola County on December 7, 1995, at 6 p.m. Therefore, SSU is hereby ordered to provide timely notice of this customer service hearing to all customers residing in SSU's service areas located in Orange and Osceola Counties. Pursuant to Rule 25-22.0407(6)(a), Florida Administrative Code, these customers must receive the notice no less than fourteen days and no more than thirty days prior to the customer service hearing. The notice shall be approved by Commission staff prior to distribution. Furthermore, the notice shall be mailed to the out-of-town addresses of all customers in the service area who have provided the utility with an out-of-town address.

Based on the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that a second customer service hearing shall be held in Osceola County on December 7, 1995, at 6 p.m. It is further

ORDERED that Southern States Utilities, Inc., shall comply with the noticing requirements as set forth in the body of this Order.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 13th day of October, 1995.


DIANE K. KIESLING, Commissioner and
Prehearing Officer

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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.