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**ORIGINAL  
FILE COPY**

October 30, 1995

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center  
Room 110  
Tallahassee, Florida 32399-0850

**HAND DELIVERY**

Re: Docket No. **950495-WS**

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Southern States Utilities, Inc. ("SSU") are the following documents:

- ACK  
AFA  
1  
2
1. Original and fifteen copies of SSU's Answer to Hernando County's Petition for Leave to Intervene; and *10659-95*
  2. Original and fifteen copies of SSU's Answer to Hernando County Water and Sewer District's Petition for Leave to Intervene. *10660-95*

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,

*Kenneth A. Hoffman*

Kenneth A. Hoffman

*1*  
*Willis*  
KAH/rl

cc: All Parties of Record

Trib.3

RECEIVED & FILED

*JD*  
RECORDS

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application by Southern States Utilities, Inc. for rate increase and increase in service availability charges for 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.

Docket No. 950495-WS

Filed: October 30, 1995

ORIGINAL FILE COPY

SSU'S ANSWER TO HERNANDO COUNTY'S PETITION FOR LEAVE TO INTERVENE

SOUTHERN STATES UTILITIES, INC., ("SSU") by and through its undersigned counsel, and pursuant to Rule 25-22.037(1), Florida Administrative Code, hereby files this Answer to Hernando County's Petition for Leave to Intervene (the "Petition") served by Hernando County ("Hernando") on September 26, 1995. In support of this Answer, SSU states as follows:

1. The Commission should find Hernando's Petition moot, since the Commission voted on October 13, 1995, to exclude SSU's water and wastewater operations in Polk, Hillsborough, and Hernando Counties ("the Additional Counties") from the instant rate proceeding. As a result of said vote, Hernando no longer has a substantially affected interest in the outcome of this proceeding.

2. In the event the Commission does not consider Hernando's Petition moot, SSU asserts that the Commission should not rule on Hernando's Petition until such time as Hernando files the resolution referred to in paragraph 3 of its Petition. Section

DOCUMENT NUMBER-DATE

10659 OCT 30 1995 3046

FPSC-RECORDS/REPORTING

120.52(12) (d), Florida Statutes, requires an authorizing resolution before a County represents its citizens as a party in an administrative proceeding, but Hernando has not attached this resolution to its Petition. Therefore, it would not be appropriate to allow Hernando party status until that resolution is filed. SSU reserves its right to object to the adequacy of the resolution which Hernando produces.

3. SSU otherwise denies the allegations in paragraphs 3 and 4 of Hernando's Petition.

WHEREFORE, in consideration of the foregoing, Southern States Utilities, Inc. requests that the Commission deny Hernando County's Petition for Leave to Intervene as moot or, in the alternative, abstain from ruling on the Petition until such time as Hernando County files with the Commission an Amended Petition attaching the resolution required by section 120.52(12) (d), Florida Statutes.

Respectfully submitted,



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and

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MATTHEW FEIL, ESQ.  
Southern States Utilities, Inc.  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by U.S. Mail to the following this 30th day of October, 1995:

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