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January 17, 1996

Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

**ORIGINAL
FILE COPY**

RE: Docket No.: 920199-WS

ACK ~~_____~~ Dear Sir/Madam:

AFA 1 ~~_____~~

APP ~~_____~~ Enclosed please find the City of Keystone Heights'
CAF ~~_____~~ Petition for Leave to Intervene in reference to the above
Docket No. for filing with the Public Service Commission.

CMU ~~_____~~ Thank you for your assistance in this matter.
CTR ~~_____~~

EAG ~~_____~~ Sincerely,

LEG 1 ~~_____~~
LIN 5 ~~_____~~ DJC/rlg
Encl.

Darla Jean Christopher
Darla Jean Christopher
Attorney for Keystone Heights, Fl.

OPC ~~_____~~

RCH ~~_____~~

SEC 1 ~~_____~~

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN re: Application of Southern)
States Utilities, Inc., and) DOCKET NO. 920199-WS
Deltona Utilities, Inc., for)
Increased Water and)
Wastewater Rates in Citrus,)
Nassau, Putnam, Charlotte, Lee,)
Lake, Orange, Marion, Volusia,)
Martin, Clay, Brevard,)
Highlands, Collier, Pasco,)
Hernando, and Washington)
Counties.)

CITY OF KEYSTONE HEIGHTS'
PETITION FOR LEAVE TO INTERVENE

COMES NOW, THE CITY OF KEYSTONE HEIGHTS, CLAY COUNTY, a political subdivision of the State of Florida, by and through its undersigned attorney, and files this Petition for Leave to Intervene pursuant to Rule 25-22.039, Florida Administrative Code, and states:

1. THE CITY OF KEYSTONE HEIGHTS is a political subdivision of the State of Florida whose governing body is the City Council of Keystone Heights located in Clay County, Florida.

2. Southern States Utilities, Inc., hereafter referred to as "Southern", filed an application for increased water and wastewater rates in Keystone Heights, Clay County, Florida, on May 11, 1992 and was granted an increase on March 22, 1993 based on a uniform rate structure as set forth in Order No. PSC-93-0423-FOF-WS.

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FPSC-RECORDS/REPORTING

3. The Florida Public Service Commission's ("Commission") decision in Order No. PSC-93-0423-FOF-WS was reversed in part and affirmed in part by the First District Court of Appeal, Citrus County v. Southern States Utilities, Inc., 656 So.2d 1307 (Fla. 1st DCA 1995). Specifically, the Court affirmed Southern's final revenue requirements but reversed on the application of such revenue requirements to Southern's customers through the uniform rate structure. Following the Court's remand, the Commission issued its Order Complying with Mandate, Requiring Refund, and Disposing of Joint Petition in Order No. PSC-95-1292-FOF-WS on October 19, 1995. That Order authorizes a modified stand-alone rate structure for Southern. The City of Keystone Heights understands that due to the filing of Southern's Motion for Reconsideration of Order No. PSC-95-1292-FOF-WS authorizing the modified stand-alone rate structure, Southern's rates based on the uniform rate structure currently remain in effect.

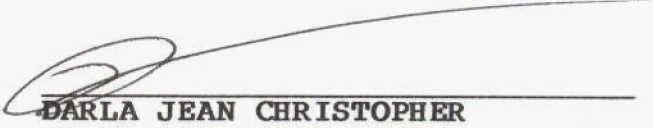
4. THE CITY OF KEYSTONE HEIGHTS, CLAY COUNTY, through its City Council, is entitled to participate in these proceedings for the reason that the substantial interests of a great many of its citizens will be affected by the outcome of these proceedings and the final decision of the Commission, including any appeals of such decision, concerning Southern's rate structure.

5. In addition, THE CITY OF KEYSTONE HEIGHTS, is in fact a customer of Southern and will be directly impacted by the ultimate decision of the Commission with respect to the approved rate structure.

6. Based on the foregoing allegations, the substantial interests of THE CITY OF KEYSTONE HEIGHTS and a great any of its citizens who are customers of Southern are subject to determination or will be affected through this proceeding.

7. Moreover, the interests of justice require that the Commission permit THE CITY OF KEYSTONE HEIGHTS to intervene in this proceeding. Although this rate case already has proceeded to final hearing, the Court reversal of the Commission imposed a new rate structure in response to the Court's remand are new and recent events with substantial financial impacts on the citizens of THE CITY OF KEYSTONE HEIGHTS, as well as THE CITY OF KEYSTONE HEIGHTS itself, who are customers of Southern. At minimum, THE CITY OF KEYSTONE HEIGHTS should be permitted to intervene at this stage of the proceeding in order to secure its right to pursue an appeal of the Commission's ultimate rate structure decision on reconsideration. In re Adoption of a Minor Child, 593 So.2d 185, 190 (Fla. 1992); Gordon v. State, 585 So.2d 1033, 1038 (Fla. 3rd DCA 1991), aff'd, 608 So.2d 800 (Fla. 1992).

WHEREFORE, THE CITY OF KEYSTONE HEIGHTS respectfully requests that this Petition for Leave to Intervene be granted.


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to:

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THIS 17 day of January, 1996.


Darla Jean Christopher