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April 5, 1996

**ORIGINAL
FILE COPY**

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

HAND DELIVERY

RE: Docket No. 950387-SU
Application of FLORIDA CITIES WATER COMPANY, North
Ft. Myers Division, for an increase in wastewater rates in Lee County,
Florida

Dear Ms. Bayo:

Enclosed for filing are an original and fifteen copies of the following:

1. Motion for Leave to Raise Additional Issue and to Prefile Supplemental Direct Testimony and Exhibit;
2. Supplemental Direct Testimony of Larry N. Coel; and
3. Exhibit ____ (LC-6) Letter to Florida Cities dated March 29, 1996 from Charles H. Hill.

Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter and returning same to my attention. Thank you for your assistance.

Sincerely,

Wayne L. Schiefelbein
Wayne L. Schiefelbein

WAC
 BEA 2
 APP
 CAF
 CMU
 CTR
 EAG
 LEG 1
 LIN 3 WLS/met
 OPC Enclosures
 RCH
 SEC 1
 WAS *Wills*
 OT

RECEIVED & FILED
APR 5 1996
FPSC-BUREAU OF RECORDS

Motion
DOCUMENT NUMBER-DATE
04026 APR-5 96
FPSC-RECORDS/REPORTING

Coel
DOCUMENT NUMBER-DATE
04027 APR-5 96
FPSC-RECORDS/REPORTING

**ORIGINAL
FILE COPY**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a rate increase for)
North Ft. Myers Division in Lee County)
by Florida Cities Water Company - Lee)
County Division)

Docket No. 950387-SU

Filed: April 5, 1996

**MOTION FOR LEAVE TO RAISE ADDITIONAL ISSUE AND TO
PREFILE SUPPLEMENTAL DIRECT TESTIMONY AND EXHIBIT**

Florida Cities Water Company (FCWC), by and through its undersigned counsel, requests leave to raise additional issue and to prefile supplemental direct testimony and an exhibit thereon, and in support states the following:

1. Upon the undersigned counsel's return to his office immediately after the April 4, 1996 prehearing conference, FCWC and its counsel first became aware of the need to raise an additional issue and to provide record support on the issue.

2. This awareness was triggered by FCWC's receipt of the attached letter from the Division of Water and Wastewater scheduling implementation of a rate reduction to reflect the expiration of rate case expense amortization from the last rate case involving FCWC's North Ft. Myers wastewater division.

3. The issue which FCWC requests be added to the prehearing order for consideration in this proceeding, and FCWC's position thereon, is as follows:

ISSUE 1: Should the rate decrease required by Order No. PSC-92-0594-FOF-SU to reflect rate case expense amortization from Docket No. 910756-SU be implemented as scheduled on June 30, 1996?

FCWC: No. The rate increase that will be granted on July 16, 1996 in the pending rate case will far exceed said rate decrease. (Coel)

DOCUMENT NUMBER-DATE

04026 APR-5 1996

FPSC-RECORDS/REPORTING 00573

4. FCWC further requests that the prefiled Supplemental Direct Testimony and Exhibit ____ (LC-6) accompanying this motion be accepted for consideration in this proceeding.

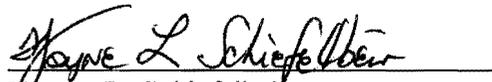
5. The undersigned counsel has consulted with Mr. Jaeger, Staff Counsel, and Mr. McLean, Office of the Public Counsel, and they stated they would not oppose the granting of this motion to allow consideration of said issue. The undersigned counsel also consulted with Ms. Walla, also a party to this proceeding, who indicated that she would first need to discuss the matter with Mr. McLean prior to taking a position on this procedural matter.

6. FCWC has no objection to Staff, Public Counsel, and Ms. Walla being permitted to address the substance of this additional issue at the hearing without prefilng testimony or exhibits thereon.

Based on the foregoing, FCWC requests that the issue identified in paragraph 3 of this motion and FCWC's position thereon be added to the prehearing order in this case, and that the prefiled supplemental direct testimony and exhibit of Mr. Coel accompanying this motion be accepted for consideration in this proceeding.

DATED this 5th day of April, 1996.

Respectfully submitted,



Wayne L. Schiefelbein
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Attorneys for
FLORIDA CITIES WATER COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ^{5th} day of April, 1996, a true and correct copy of the foregoing has been furnished by hand delivery to Ralph R. Jaeger, Esquire, Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 and to Mr. Harold McLean, Esquire, Office of Public Counsel, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400, and by regular U.S. Mail to:

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