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ORIGINAL  
FILE COPY

April 15, 1996

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

Re: Case No. 950495-WS

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of Citizen's Motion to Strike Rebuttal Testimony of Brian S. Broverman.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

- ACK 1
- AFA 2
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG      CJB:bsr
- LEG 1 Enclosures
- LIN 5
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- VAS
- OTH \_\_\_\_\_

Sincerely,

Charles J. Beck  
Deputy Public Counsel

RECEIVED & FILED

EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
04312 APR 15 96  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Application for a rate )  
increase 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 by Southern States )  
Utilities, Inc. )  
\_\_\_\_\_ )

Docket No. 950495-WS

Filed: April 15, 1996

MOTION TO STRIKE REBUTTAL TESTIMONY OF BRIAN S. BROVERMAN

The Citizens of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, move the Prehearing Officer to strike the rebuttal testimony of Brian S. Broverman because it is not genuinely rebuttal testimony.

1. The rebuttal testimony of Mr. Broverman states that its purpose is to "address the statements of customers and their counsel during the customer service hearings which suggest that SSU has inflated expenses in the MFR projections" (prefiled testimony, page 3). He claims that Southern States' projections of 1995 FAS 106 expenses have been "inordinately conservative" and that "if SSU was similarly conservative when making its projections of other expenses, I believe that the concerns expressed by SSU's customers are unfounded" (prefiled testimony, pages 3-4). Then he proceeds to sponsor bulky exhibits concerning Southern States' projection of

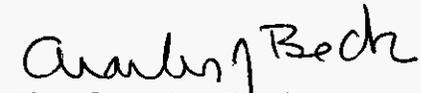
FAS 106 expenses.

2. The company's FAS 106 expense is not at issue in the case, nor has the prefiled testimony of any intervenor witness addressed the company's proposed FAS 106 expense. Customer testimony at the service hearings did not address Southern States' FAS 106 expense. Mr. Broverman's rebuttal testimony is nothing more than a ruse to submit untimely direct testimony.

**WHEREFORE,** Citizens respectfully request the Prehearing Officer to strike the rebuttal testimony of Brian S. Broverman because it is not genuinely rebuttal testimony.

Respectfully submitted,

JACK SHREVE  
PUBLIC COUNSEL

  
Charles J. Beck  
Deputy Public Counsel

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Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE  
DOCKET NO. 950495-WS**

I HEREBY CERTIFY that a correct copy of the foregoing has been furnished by U.S. Mail or \*hand-delivery to the following party representatives on this 15th day of April, 1996.

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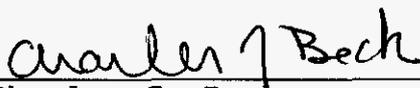
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