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December 19, 1996

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32301

Re: Docket No. 960235-WS, Application for Transfer of Certificate
Nos. 404-W and 341-S in Orange County from Econ Utilities
Corporation to Wedgefield Utilities, Inc.

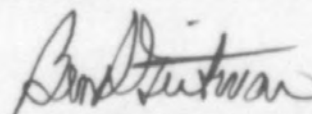
Docket No. 960283-WS, Application for Amendment of Certificate
Nos. 404-W and 341-S in Orange County by Wedgefield Utilities,
Inc.

Dear Ms. Bayo:

Enclosed for filing are the original and fifteen copies of
Wedgefield Utility's Request and Motion to Withdraw the CASR and
the Order Establishing Procedure.

Thank you for your assistance.

Sincerely yours,



Ben E. Girtman

Encls.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for Transfer)
of Certificate Nos. 404-W and)
341-S in Orange County from Econ)
Utilities Corporation to)
Wedgefield Utilities, Inc.)

DOCKET NO. 960235-WS

In Re: Application for)
Amendment of Certificate Nos.)
404-W and 341-S in Orange County)
by Wedgefield Utilities, Inc.)

DOCKET NO. 960283-WS

Submitted for Filing:
December 19, 1996

WEDGEFIELD UTILITY'S
REQUEST AND MOTION TO WITHDRAW
THE CASR AND
THE ORDER ESTABLISHING PROCEDURE

COMES NOW Utilities, Inc. and its wholly owned subsidiary, Wedgefield Utilities, Inc., (hereinafter collectively referred to as "Wedgefield") and in support of its Request and Motion states:

1. Several motions are presently pending in the above styled Dockets, seeking to determine whether a hearing should be held as requested by the Office of Public Counsel (OPC). Wedgefield has filed two motions to dismiss or strike pleadings by OPC, and has filed a request for oral argument thereon.

2. A favorable ruling on Wedgefield's motions would result in the denial of the OPC protest and request for hearing, and the transfer would become final as approved in Commission Order No. PSC-96-1241-FOF-WS (the Commission Order) entitled "Order Approving Transfer and Granting Amendment of Certificates to Include Additional Territory and Notice of Proposed Agency Action Order

Establishing Rate Base for Purposes of the Transfer".

3. Wedgefield's last motion to dismiss or strike and its request for oral argument were filed on December 6, 1996, just a few days ago. Wedgefield has been waiting for a determination of whether oral argument would be held as requested, and if not, a determination of whether the Wedgefield's motions to dismiss or strike would be granted. Such a ruling would make the Commission Order final, approving the transfer, approving the extension of territory, and making the rate base determinations as set forth therein.

4. The Commission Order allegedly made final the approval of the transfer and the extension of territory, but made the rate base determination subject to a proposed agency action (PAA).

5. Without a ruling having been entered on the pending motions, without a ruling having been entered on the request for oral argument, and even before the Staff Recommendation on the pending motions had even been written, a Case Assignment and Scheduling Record was prepared and filed with the Commission Clerk on December 12, 1996, and an Order Establishing Procedure (the prehearing order) was issued on December 17, 1996. Copies were sent to the undersigned attorney for Wedgefield by the Commission Staff attorney on December 16, 1996. The CASR and the prehearing order require the Utility to file direct testimony and exhibits by January 6, 1997, some 20 days after issuance of the Order Establishing Procedure.

6. The prehearing order does not address any of the issues

raised by Wedgefield's motions or its contingent request for hearing. It does not grant or deny any part or all of those motions or requests contained therein.

7. The issuance of the CASR and the prehearing order, both of which establish hearing dates and set the prehearing procedures and deadlines, is premature. The timing of the issuance of the CASR and the prehearing order raises doubt as to whether the pending motions will be considered and ruled upon. Wedgefield renews and reasserts the matters set forth in its previous motions and request for oral argument.

8. If the CASR and prehearing order are not withdrawn, there is insufficient time for the matters set forth in Wedgefield's pending motions to be considered and, if denied, to then be able to prepare and file prefiled testimony and exhibits by January 6, 1997. Therefore, all requirements and dates in the CASR and in the prehearing order should be withdrawn and deferred, and any consideration thereof continued, until after a determination of the matters set forth in the pending motions. Wedgefield believes that it is more appropriate to withdraw the CASR and the prehearing order than merely to continue them.

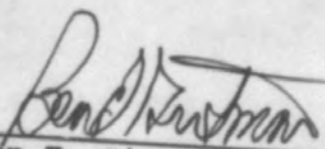
9. The undersigned counsel has contacted Mr. Charles Beck, Deputy Public Counsel, who has no objection either to:
1) a continuance of the CASR and the prehearing order and all dates and requirements therein, or 2) to the complete withdrawal of the CASR and the prehearing order pending resolution of the outstanding motions.

WHEREFORE, Wedgefield Utilities respectfully requests that this file be examined, that oral argument be held as requested by Wedgefield, and that the CASR and the prehearing order be withdrawn until oral argument is held and a final order of the Commission is entered on all pending motions. If Wedgefield's motions are granted then the matter is moot and no hearing will be required, but if an order is entered denying Wedgefield's motions, it is requested that no filing or other action be required by Wedgefield or by any other party until at least forty (40) days after the issuance of that order.

RESPECTFULLY SUBMITTED, this 19th day of December, 1996.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent to Charles Beck, Esq., Office of Public Counsel, 111 W. Madison St., Tallahassee, FL 32399-1400 #; Mr. John Forrer, Econ Utilities, Inc., 1714 Hoban Rd. NW, Washington, D.C. 20007; and to Donna Cyrus-Williams Esq., Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, * by U.S. Mail (or by hand delivery * or facsimile #) this 19th day of December 1996.


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Attorney for Utilities, Inc.
and Wedgefield Utilities, Inc.