



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

**DATE:** July 1, 1998

**TO:** Commissioner Joe Garcia, Prehearing Officer

**FROM:** Division of Legal Services (Jaeger)

**RE:** Docket No. 950387-SU - Application for a rate increase for North Ft. Myers Division in Lee County by Florida Cities Water Company - Lee County Division.

*OK'd By Garcia*

By opinion dated June 17, 1998, the First District Court of Appeal denied Florida Cities Water Company's petition on nonfinal agency action. The hearing on the Court's remand was promptly rescheduled. However, both the Office of Public Counsel and the utility have now filed motions for continuance stating that they cannot be prepared for hearing in such a short time. The customer intervenors have also agreed that a continuance should be granted. In order to insure adequate preparation for the formal hearing, we would like to request that the Chairman:

- 1) Reschedule the Prehearing Conference from August 11, 1998 to November 16, 1998; and
- 2) Reschedule the Hearing from August 24 and 25, 1998, to December 8 and 9, 1998.

I have attached a memo from you to Chairman Johnson requesting rescheduling of the prehearing conference and hearing. If you have any questions, please call me. Thank you.

ACK \_\_\_\_\_

AFA \_\_\_\_\_

APP \_\_\_\_\_

CAF \_\_\_\_\_

RRJ/dr

CMU \_\_\_\_\_

CTR \_\_\_\_\_ Attachment

EAG \_\_\_\_\_

LEG \_\_\_\_\_ cc: Division of Water and Wastewater (Willis, Crouch, Galloway, Merchant, Rendell, Starling, Walden)

LIN \_\_\_\_\_ Division of Auditing and Financial Analysis (Vandiver, Bouckaert)

OPC \_\_\_\_\_ Division of Records and Reporting

RCH \_\_\_\_\_ Jackie Edwards

SEC \_\_\_\_\_

WAS \_\_\_\_\_

JFH \_\_\_\_\_

*Sec*

DOCUMENT NUMBER-DATE

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