

ORIGINAL



Public Service Commission

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

DATE: July 1, 1998
TO: Chairman Julia Johnson
FROM: Commissioner Joe Garcia
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.

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 ensure adequate preparation for the formal hearing, please:

- 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.

JG/rj/dr

cc: Division of Water and Wastewater (Willis, Crouch, Galloway, Merchant, Rendell, Starling, Walden)
 Division of Auditing and Financial Analysis (Vandiver, Bouckaert)
 Division of Records and Reporting
 Division of Legal Services (Jaeger)
 Jackie Edwards

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