



# Public Service Commission

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

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**DATE:** September 10, 1998  
**TO:** Julia L. Johnson, Chairman  
**FROM:** Tim Vaccaro, Senior Attorney, Division of Legal Services *TV AS*  
**RE:** Docket No. 960444-WU - Application for rate increase and for increase in service availability charges in Lake County by Lake Utility Services, Inc.

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On May 30, 1997, Lake Utility Services, Inc. (LUSI) filed a Petition on Proposed Agency Action (PAA), protesting PAA Order No. PSC-97-0531-FOF-WU. The matter was set for hearing but continued pending settlement between LUSI and the Office of Public Counsel (OPC). By PAA Order No. PSC-98-0683-AS-WU, the Commission approved a settlement offer made by LUSI. OPC did not support the settlement offer and protested the Commission's order. A hearing was scheduled for September 15-16, 1998.

A Prehearing Conference was held in this docket on August 31, 1998. At that time, staff brought to the attention of the Prehearing Officer that LUSI had filed a notice of withdrawal of its settlement offer and its protest of the first PAA Order. Staff also indicated that LUSI may be overearning. Staff recommended that the prehearing be continued and that the prehearing and hearing dates be rescheduled, pending staff's presentation of a recommendation regarding these issues at the September 22, 1998, Agenda Conference. On September 1, 1998, your office approved the rescheduling of the prehearing and hearing dates.

Staff is in the process of drafting its recommendation and requests that filing be extended until Noon on Monday, September 14, 1998. This will give staff the opportunity to adequately address the issues addressed at the Prehearing Conference. Staff believes that the recommendation should not be delayed to a later agenda, because the eight-month statutory deadline for this docket is February 8, 1998. Time is of the essence in the event that this docket proceeds to hearing. Thank you for your consideration.

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_ TV/dr
- LEG \_\_\_\_\_
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_ PLUSIEXT.TV
- SEC   1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

cc: Division of Water and Wastewater (Willis, Merchant, Fletcher)

*O.K.  
TV for JJ*

*OK  
MAB  
9/10/98*

DOCUMENT NUMBER-DATE

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