



Public Service Commission

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

DATE: February 25, 1999
TO: Chairman Joe Garcia
FROM: Susan F. Clark, Commissioner
RE: Docket No. 960444-WU - Application for rate increase and for increase in service availability charges in Lake County by Lake Utility Services, Inc.

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 negotiations between LUSI and the Office of Public Counsel (OPC). By PAA Order No. PSC-98-0683-AS-WU, issued May 18, 1998, the Commission approved a settlement offer made by LUSI. OPC did not support the settlement offer and protested the Commission's order.

On August 31, 1998, a Prehearing Conference was held in this matter. However, the Prehearing Conference was continued pending Commission review of LUSI's notice of withdrawal of its settlement offer and its protest of PAA, filed on August 27, 1998. By Order No. PSC-98-1582-PCO-WU, the Commission rejected LUSI's notice of withdrawal, and this matter was rescheduled for hearing. On February 2, 1999, OPC filed a motion to dismiss LUSI's application for increased rates and service availability charges. On February 16, 1999, the Commission rejected OPC's motion.

Subsequently, LUSI and OPC entered negotiations which have resulted in a settlement agreement. As a result, there is no longer a need to go forward with a hearing in this docket. Therefore, please:

- ACK ___ 1) Cancel the Prehearing Conference scheduled for March 2, 1999; and
AFA ___
APP ___ 2) Cancel the Hearing scheduled for March 10-11, 1999.
CAF ___
CMU ___ Thank you.
CTR ___
EAG ___
LEG ___ SFC/TV/dr
LIN ___ cc: Division of Water & Wastewater (Willis, Merchant, Rendell, Fletcher, Binford)
OPC ___ Division of Records and Reporting
RCH ___ Blanca Bayó, Division of Records and Reporting
SEC / Jackie Edwards, Commission Suite
WAS ___
OTH ___

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