



# Public Service Commission

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

**DATE:** March 4, 1999

**TO:** Joe Garcia, Chairman

**FROM:** Rosanne Gervasi, Senior Attorney, Legal Division *RS*  
 Ralph R. Jaeger, Senior Attorney, Legal Division

**RE:** Docket No. 950495-WS - Application for rate increase and increase in service availability charges by Southern States Utilities, Inc. for Orange-Osceola Utilities, Inc. in Osceola County, and in Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Duval, Highlands, Lake, Lee, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, St. Johns, St. Lucie, Volusia, and Washington Counties; and addition of emergency issue to recommendation for March 16, 1999 Agenda Conference.

The staff had prepared a recommendation to address the following two issues in this case:

1. The Petition for Formal Hearing concerning the proposed surcharges (and Florida Water Services Corporation's response); and
2. The identification of the issues that should be considered at the formal hearing scheduled to take place on remand. (plus a closing of docket issue)

However, prior to filing that recommendation, Florida Water Services Corporation filed, on March 1, 1999, its Motion to Transfer Remand Proceeding to the Division of Administrative Hearings.

Staff believes this request should be considered immediately by the full Commission. The Order Establishing Procedure requires that prefiled testimony be filed on April 20, 1999, and staff believes that it would be best that all parties be aware of the Commission's decision prior to March 30, 1999, which is the next available agenda conference. A delay in the decision could cause confusion about the continued need for filing of testimony with the Commission and parties could unnecessarily file motions to delay the filing of testimony or for extensions of time if the utility's motion is not addressed on the March 16th Agenda.

Therefore, staff has added Florida Water's Motion as Issue 3, to this recommendation, but

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DOCUMENT NUMBER-DATE  
 02843 MAR -4 99  
 FPSC-RECORDS/REPORTING

*Chairman Garcia,*  
*I am sure you want*  
*these items taken up together*  
*so I support this report to*  
*file recommendation a little later.*  
*+ Parker*  
*M. T.*

*RS*  
*3/5/99*

Joe Garcia, Chairman

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requests that it be given until the close of business on March 9, 1999, to file its recommendation and analysis.

RRJ/lw

cc: Division of Legal Services (Jaber, McRae)  
Division of Water and Wastewater (Willis, Merchant, Rendell)  
Division of Records and Reporting (Bayo, Purvis, Flynn)

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