

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment
of Certificate No. 106-W to add
and delete territory in Lake
County by Florida Water Services
Corporation.

DOCKET NO. 990054-WU
ORDER NO. PSC-99-2262-PCO-WU
ISSUED: November 18, 1999

ORDER GRANTING MOTION TO ACCEPT UNTIMELY PREFILED
DIRECT TESTIMONY AND CHANGING
FILING DATES

On January 15, 1999, Florida Water Services Corporation (FWSC or utility) filed an application for amendment of Certificate No. 106-W to add and delete territory in Lake County. On April 19, 1999, Crystal River Utilities, Inc. (Crystal River) filed an objection to FWSC's application and demanded a formal hearing. Accordingly, this matter has been scheduled for an administrative hearing.

By Order No. PSC-99-2127-PCO-WU, issued October 27, 1999, testimony filing dates in this matter were changed. Pursuant to Order No. PSC-99-2127-PCO-WU, FWSC's direct testimony and exhibits were due on November 8, 1999. Currently, the prehearing conference and hearing dates are scheduled for February 28, 2000, and March 15 and 16, 2000, respectively.

On November 12, 1999, FWSC filed its direct testimony along with a Motion to Accept Untimely Prefiled Direct Testimony. In support of its motion, FWSC states that when Order No. PSC-99-2127-PCO-WU was issued changing the testimony filing dates, counsel for FWSC was out of the state and, upon returning, failed to calendar the new due date for the utility's prefiled direct testimony. Consequently, FWSC's direct testimony was not timely filed on November 8, 1999. FWSC asserts that neither the Commission nor Crystal River will be prejudiced by its late-filed direct testimony because the testimony was only filed four days late, particularly if all other filing dates are extended by an equal amount of time.

On November 12, 1999, Crystal River filed a response to FWSC's motion, stating that it does not object to FWSC's motion as long as its own testimony is also extended by four days.

DOCUMENT NUMBER-DATE

14248 NOV 18 1999

SECRETARY

Extending the testimony filing dates by four days does not require a change in prehearing or hearing dates. Because Crystal River does not object and any prejudice caused by the late-filing of FWSC's testimony can be remedied by extending the remaining filing dates by four days, FWSC's motion is hereby granted. The following revised dates shall govern this case.

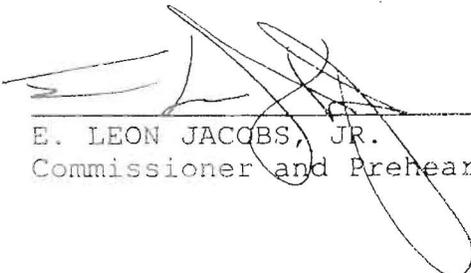
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| 1) Intervenor's direct testimony and exhibits | December 14, 1999 |
| 2) Staff's direct testimony and exhibits, if any | January 13, 2000 |
| 3) Rebuttal testimony and exhibits | February 15, 2000 |
| 4) Prehearing Statements | February 15, 2000 |

Based on the foregoing, it is

ORDERED by Commissioner E. Leon Jacobs, Jr., as Prehearing Officer, that Florida Water Services Corporation's Motion to Accept Untimely Prefiled Direct Testimony is hereby granted as set forth in the body of this Order. It is further

ORDERED that the dates for filing testimony and prehearing statements are hereby changed as set forth in the body of this Order.

By ORDER of Commissioner E. Leon Jacobs, Jr., as Prehearing Officer, this 18th Day of November, 1999.



E. LEON JACOBS, JR.
Commissioner and Prehearing Officer

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.