

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of utility  
rates of Aloha Utilities, Inc.  
in Pasco County.

DOCKET NO. 960545-WS  
ORDER NO. PSC-99-2367-PCO-WS  
ISSUED: December 6, 1999

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On November 22, 1999, Aloha Utilities, Inc. (Aloha), filed its Motion to Supplement Direct Testimony. On November 29, 1999, the Office of Public Counsel (OPC) and Representative Mike Fasano, intervenors in this docket, filed their Motion for More Time to Respond.

In their motion for more time, the intervenors state that Aloha's motion was filed and faxed to them on Monday, November 22, 1999 at 5:17 p.m. They further state that, pursuant to their interpretation of the Uniform Rules, a response would appear to be due on November 29, 1999.

The intervenors note that the issues raised in Aloha's motion are complex and important to the respective rights of the parties, and require considerable research. However, because of the Thanksgiving holidays and the timing of the facsimile, the intervenors would only be allowed three working days in which to respond. Therefore, the intervenors request that they be given until 5:00 p.m. on December 2, 1999, to file their response.

While Aloha does not agree to this extension, it states that because of the time constraints it will not file a written response to the motion for extension of time. Further, Aloha acknowledges that the intervenors effectively only had three working days to respond.

Based on all the above, the intervenors shall have until 5:00 p.m. on December 2, 1999, to file their response.


Based on the foregoing, it is

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the Motion for Extension of Time filed by the intervenors is hereby granted as set forth above, and the Intervenor shall have until 5:00 p.m. on December 2, 1999, to file their response.

DOCUMENT NUMBER-DATE  
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FPSC-RECORDS/REPORTING

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By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 6th Day of December, 1999.

  
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SUSAN F. CLARK  
Commissioner and Prehearing Officer

( S E A L )

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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,

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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.