

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 960545-WS

NOTICE OF WAIVER OF DISQUALIFICATION

ISSUED: March 2, 2000

Commissioner Jaber has been assigned to hear the above-referenced docket. Because the Commission's role in deciding this case is quasi-judicial, the Code of Judicial Conduct should be applied. Canons 3E and F of the Code of Judicial Conduct provides that when a judge's impartiality might reasonably be questioned because she was involved in a case as a lawyer, the judge may participate in the proceeding if **all the parties and lawyers agree in writing** to waive the disqualification under a procedure independent of the judge's participation.

Thus, unless a waiver from all parties and all counsel is received, Commissioner Jaber intends to disqualify in the above-referenced proceeding because of her previous involvement in the case which consisted of drafting recommendations and orders, attending informal meetings with staff and parties, and participating in Agenda. If you and your client(s) wish to waive Commissioner Jaber's disqualification, letters to that effect from you and from your client(s) must be sent to Blanca Bayó, Director of the Division of Records and Reporting, at the below listed address **within seven (7) days of the date of this Notice**. The letters should not be sent to Commissioner Jaber and copies should not be sent to other counsel. If all parties and all counsel submit such letters, this Notice and all responses will be made part of the record, as required by Canon 3D of the Code of Judicial Conduct, and Commissioner Jaber will continue participation in the proceeding.

If waivers are not received from all parties and all counsel, the responses will not be shown to Commissioner Jaber nor will Commissioner Jaber be informed of the identity of any party or lawyer who declined to waive the disqualification. If the disqualification is not waived, this case will be reassigned.

Blanca Bayó
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

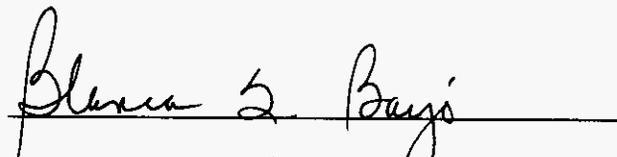
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NOTICE OF WAIVER OF DISQUALIFICATION
DOCKET NO. 960545-WS
PAGE 2

By DIRECTION of the Florida Public Service Commission this
2nd day of March, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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