

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In Re: Application of Aloha Utilities, Inc. )  
for Increase in Wastewater Rates in its Seven )  
Springs System in Pasco County, Florida )

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ALOHA'S STIPULATED MOTION TO ALLOW FILING OF RESPONSE TO CUSTOMER CONCERN ON 10/27/00

Aloha Utilities, Inc. ("Aloha"), by and through its undersigned counsel, hereby files this Stipulated Motion to Allow Filing of Response to Customer Concern on 10/27/00 and in support thereof would state as follows:

1. During a discussion at the first phase of the hearing in this case, it was contemplated that the transcripts in this matter would be filed by October 9, 2000, and that Aloha would file its Response to Customer Concerns, in the form of a late-filed exhibit, seven (7) days thereafter.

2. In fact, the transcripts were not filed until October 17, 2000, and despite Aloha's best efforts, were not received by counsel for Aloha until October 18, 2000.

3. The original seven (7) day time frame, under the above referenced scenario, would cause the late-filed exhibit to now be due on Wednesday, October 25, 2000. However, Aloha's rebuttal testimony is due, on an expedited time frame, on Monday, October 23, 2000. This substantially reduces the time in which counsel and witnesses for Aloha are available to put together the late-filed exhibit.

4. Aloha, based upon the above-referenced circumstances, herein respectively requests that the late-filed exhibit be determined to be due at the Commission by 5:00 p.m. on October 27, 2000. Aloha has consulted with counsel for the Staff who states that Staff does not object to this Motion. Aloha has consulted

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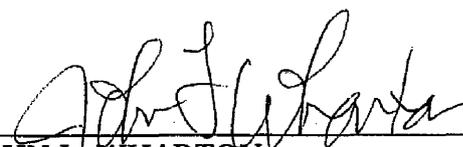
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with counsel for the Offices of Public Counsel who states that OPC does not object to this Motion.

WHEREFORE, and in consideration of the above, Aloha respectfully requests that the late-filed exhibit be established as due at the Commission no later than 5:00 p.m. on October 27, 2000.

Dated this 19<sup>th</sup> day of October, 2000.

  
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JOHN L. WHARTON  
F. MARSHALL DETERDING  
Rose, Sundstrom, & Bentley, LLP  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via facsimile and by U.S. Mail on this 19<sup>th</sup> day of October, 2000 to the following:

Ralph Jaeger, Esquire  
Jason Fudge, Esquire  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Stephen Burgess, Esq.  
Office of Public Counsel  
111 Madison Street  
Tallahassee, FL 32399-1400

  
\_\_\_\_\_  
JOHN L. WHARTON

aloha\30\stip to file response.mot