

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Water and wastewater industry annual reestablishment of authorized range of return on common equity of water and wastewater utilities pursuant to Section 367.081(4)(f), F.S.

DOCKET NO. 010006-WS  
ORDER NO. PSC-01-2020-PCO-WS  
ISSUED: October 9, 2001

ORDER GRANTING FLORIDA WATERWORKS ASSOCIATION'S AGREED MOTION FOR  
EXTENSION OF TIME TO FILE PREFILED REBUTTAL TESTIMONY AND SECOND  
ORDER REVISING CONTROLLING DATES

By Order No. PSC-01-1769-PCO-WS, issued August 29, 2001, the prefiled rebuttal testimony and exhibits of the Florida Waterworks Association (FWA) were due to be filed on October 5, 2001. However, on October 3, 2001, the FWA filed its Agreed Motion for Extension of Time to File Rebuttal Testimony. FWA notes that the Office of Public Counsel (OPC) is an intervenor in this case and OPC's rebuttal testimony and exhibits are also due on October 5, 2001.

Extension of Time to Prefile Rebuttal Testimony

FWA states that on the morning of October 3, 2001, it was advised that its expert witness had unexpectedly been called to testify on October 4, 2001 in Iowa. FWA notes that this unavoidable scheduling issue precludes FWA's expert witness from developing meaningful rebuttal testimony within the allocated schedule. Accordingly, FWA requests that both it and OPC be given until October 10, 2001 to prefile their rebuttal testimony and exhibits.

Counsel for OPC has agreed to the Motion, and counsel for Commission staff has stated that staff has no objection to this five-day extension of time. Moreover, this five-day extension will not affect the scheduling of this case in any other way.

Based on all of the above, FWA's Agreed Motion for Extension of Time is granted, and a five-day extension for the filing of rebuttal testimony and exhibits is granted. All rebuttal testimony shall be prefiled by October 10, 2001.

DOCUMENT NUMBER-DATE

12838 OCT-9 2001

FPSC-COMMISSION CLERK

Controlling Dates

Based on the above, the controlling date for the filing of rebuttal testimony and exhibits is modified to reflect a due date of October 10, 2001. The prehearing statements shall continue to be due on October 12, 2001, and all other controlling dates shall remain unchanged. Moreover, all other aspects of Order No. PSC-01-1767-PCO-WS, issued August 29, 2001, and the original Order Establishing Procedure, Order No. PSC-1447-PCO-WS, issued July 6, 2001, are hereby reaffirmed.

Based on the foregoing, it is

ORDERED by Commissioner Michael A. Palecki, as Prehearing Officer, that Florida Waterworks Association's Agreed Motion for Extension of Time to File Rebuttal Testimony is hereby granted. The Florida Waterworks Association and intervenors shall be given up to and including October 10, 2001, to prefile their rebuttal testimony. It is further

ORDERED that the controlling dates set forth in Orders Nos. PSC-01-1447-PCO-WS and PSC-01-1767-PCO-WS are hereby revised as set forth in the body of this Order. It is further

ORDERED that Orders Nos. PSC-01-1447-PCO-WS and PSC-01-1767-PCO-WS are otherwise reaffirmed in all other respects.

By ORDER of Commissioner Michael A. Palecki, as Prehearing Officer, this 9th day of October, 2001.



MICHAEL A. PALECKI  
Commissioner and Prehearing Officer

( S E A L )

RRJ

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 the Commission Clerk and Administrative Services, 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.