

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase
in water rates for Seven Springs
System in Pasco County by Aloha
Utilities, Inc.

DOCKET NO. 010503-WU
ORDER NO. PSC-02-0171-PCO-WU
ISSUED: February 6, 2002

ORDER GRANTING MOTION FOR EXTENSION OF TIME
TO FILE POST-HEARING BRIEFS

At the formal hearing held on January 9-11, 2002, in New Port Richey, all parties were directed by the Commission to file post-hearing briefs by February 8, 2002. However, on February 1, 2002, Aloha Utilities, Inc. (Aloha) filed its Motion for Extension of Time to file its final Statement of Issues and Positions and "Brief" (Motion).

As justification for this extension, Aloha states that the transcripts of the hearing were supposed to be available to the parties on Friday, January 25, 2002, but that those transcripts were not available until Tuesday, January 29, 2002. Aloha argues that those transcripts are a necessary prerequisite for the filing of post-hearing briefs and requests that the time for filing such be extended from Friday, February 8, 2002, to Tuesday, February 12, 2002.

Aloha states that it has contacted the Southwest Florida Water Management District, the Office of Public Counsel, and Commission staff and that they do not object to this Motion. In addition, Representative Fasano and Ed Wood were contacted by counsel for the Office of Public Counsel, and both parties state that they do not object to this Motion.

Although the transcripts were in fact completed and filed on Friday, January 25, 2002, Aloha did not obtain a copy until the following Tuesday, January 29, 2002. Therefore, the request of Aloha for two additional working days in which to file its post-hearing briefs is reasonable and shall be granted. All parties shall now file post-hearing briefs by the close of business on Tuesday, February 12, 2002.

DOCUMENT NUMBER-DATE

01433 FEB-6 8

FPSC-COMMISSION CLERK



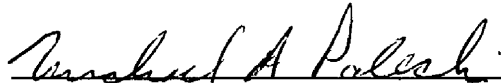
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Based on the foregoing, it is

ORDERED by Commissioner Michael A. Palecki, as Prehearing Officer, that the Motion for Extension of Time to File Post-Hearing Briefs filed by Aloha Utilities, Inc., is granted and the date for filing Post-Hearing Briefs is now February 12, 2002. It is further

ORDERED that Orders Nos. PSC-01-1680-PCO-WU, and PSC-01-1752-PCO-WU are reaffirmed in all other respects.

By ORDER of Commissioner Michael A. Palecki, as Prehearing Officer, this 6th day of February, 2002.


MICHAEL A. PALECKI
Commissioner and Prehearing Officer

(S E A L)

RRJ/LAE

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.

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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.