

ORIGINAL



JACK SHREVE
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STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature
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August 15, 2002

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COMMISSION
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Blanca S. Bayo, Director
Division of Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 020413-SU

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of Citizens' Notice of Intervention.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Stephen C. Burgess
Deputy Public Counsel

AUS _____ SCB:bsr
CAF _____
CMP _____
COM _____ Enclosures
CTR _____
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GCL _____
OPC _____
MMS _____
SEC _____
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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CI FRK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Initiation of Show Cause)
Proceedings against Aloha)
Utilities, Inc. for failure to charge)
approved service availability)
charges in violation of Order No.)
PSC-01-0326-FOF-SU and)
Section 367.091, F.S.)

Docket No. 020413-SU

Filed: August 15, 2002

NOTICE OF INTERVENTION

The Citizens of the State of Florida, through their attorney, the Public Counsel, pursuant to Section 350.0611, Florida Statutes, and Rule 25-22.039, Florida Administrative Code, hereby give notice of intervention in the above-referenced docket.

The Citizens submit:

1. The docket number is 020413-SU and the name of the agency is the Florida Public Service Commission.

2. The Intervenor is the Office of Public Counsel, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400, and is entitled to participate as a matter of statutory right under Section 350.0611(1), which authorizes the Public Counsel "to appear in the name of the state or its citizens, in any proceeding or action before the commission..."

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3. The Citizens will identify disputed issues of material fact at the proper point in the procedure of this case. At this point, however, the Citizens are not aware of what material facts will be disputed.

4. As ultimate facts, the Citizens allege:

(a) Through Order No. PSC-01-0326-FOF-SU, the Commission ordered Aloha Utilities, Inc. ("Aloha") to increase its wastewater service availability charge for its Seven Springs system.

(b) Aloha failed to file a tariff in compliance with the PSC order and failed to collect the increased service availability charge ordered by the Commission.

(c) As a result Aloha's failure to comply with a lawful Commission order, the utility's CIAC is deficient.

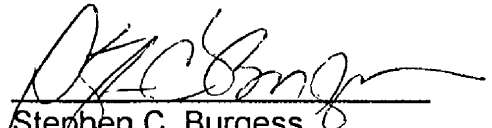
(d) Unless adjusted, a deficiency in CIAC will result in a higher rate base and in future rates that are higher than if the utility had complied with Commission order.

(f) Aloha's customers should not be charged future rates that are higher because of Aloha's negligence and failure to collect the lawful service availability charge.

5. As relief, at this point in the proceedings, the OPC seeks the opportunity to present customer input for the Commission's consideration.

Respectfully submitted,

JACK SHREVE
Public Counsel

A handwritten signature in black ink, appearing to read "Stephen C. Burgess", written over a horizontal line.

Stephen C. Burgess
Deputy Public Counsel

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400

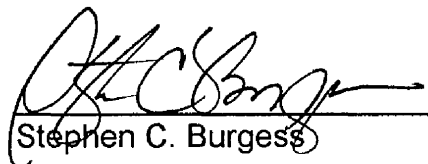
(850) 488-9330

Attorneys for the Citizens
of the State of Florida

**DOCKET NO. 020413-SU
CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S.

Mail or hand-delivery to the following parties on this 15th day August, 2002.



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