

ORIGINAL



JACK SHREVE
PUBLIC COUNSEL

STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature
111 West Madison St.
Room 812
Tallahassee, Florida 32399-1400
850-488-9330

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COMMISSION CLERK

September 11, 2002

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

Re: Docket No. 020254-SU

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of Citizens' Motion To Expedite.

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

Sincerely,

Stephen Presnell
Associate Public Counsel

AUG _____
CAF _____
CMP _____
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CTR _____
EOR _____
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MMS _____
SEC _____
OTH _____

SCB:bsr
Enclosure

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DOCUMENT NUMBER DATE

09649 SEP 11 02

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Hudson Utilities,)
Inc. for increase in service availability)
charges for wastewater customers in)
Pasco County, Florida.)
_____)

Docket No. 020254-SU

Filed: September 11, 2002

CITIZENS' MOTION TO EXPEDITE

The Citizens of the State of Florida, through their attorney, the Public Counsel, pursuant to Rule 28-106.204, Florida Administrative Code, hereby file their Citizens' Motion to Expedite. The Citizens submit:

1. A staff recommendation is scheduled to be filed in this case on October 24, 2002, for the Commission's consideration at its November 5, 2002, agenda conference.

2. On August 27, 1998, Hudson Utilities, Inc. ("Hudson") filed a petition to amend its certificate to expand its service area. (Docket No. 981079-SU). The Commission approved Hudson's petition on September 27, 1999. The docket remained open to allow Staff to verify proof of transfer of territory (Signal Cove subdivision) from Pasco County to Hudson. (PSC-99-1916-PAA-SU).

3. Under Florida law Hudson is required to "provide service to the area described in its certificate of authorization within a reasonable time" (Section 367.111(1), Florida Statutes (2001)).

4. Conditions within much of Hudson's expanded service territory are not appropriate for efficient use of septic tanks and drain fields. The area "includes a four to five square mile area ... The majority of Hudson's existing and proposed service territory

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is located in an area federally designated as a flood plain area unsuitable for the efficient use of septic tanks and drain fields. The comprehensive land use plan adopted by the County as required by the Department of Community Affairs states that coastal areas be provided with sanitary sewer collection and treatment systems" (PSC-99-1916-PAA-SU, p. 4).

5. Hudson is the exclusive authorized provider of wastewater service within the territory. Some of the homes have experienced septic tank and drain field failures. Such failures can be expected to continue. The delay in providing service to this area may result in significant economic costs to the Citizens. The delay may also create a risk to their health, harm to the environment, and diminution of property values. Any additional delay in resolving this matter harms the Citizens who need to connect to the sewer system.

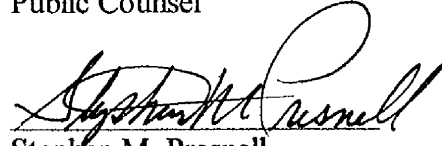
6. In this case (Docket No. 020254-SU) Hudson has alleged that it must have an increase in service availability charges in order to secure the financing necessary to provide service in the expanded service territory. The Commission should stop any additional harm to the Citizens by resolving this matter at the earliest possible date.

7. Counsel for the Citizens has conferred with counsel for the Commission who takes no position on the motion at this time. Counsel for the Citizens has conferred with counsel for Hudson, who agrees that the case should be expedited so long as the staff has sufficient time to prepare their recommendation.

WHEREFORE, THE CITIZENS request the Commission to expedite this case by rescheduling it for the earliest possible agenda conference.

Respectfully submitted,

Jack Shreve
Public Counsel



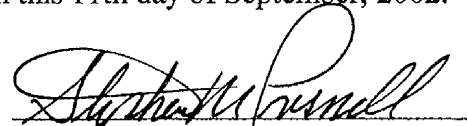
Stephen M. Presnell
Associate Public Counsel

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400
Telephone 850.488.9330

Attorneys for the Citizens
of the State of Florida

CERTIFICATE OF SERVICE

I HEREBY certify that a copy of the foregoing CITIZENS' NOTICE OF INTERVENTION has been served by hand delivery to Rosanne Gervasi, Esq., Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and by U.S. Mail to Kenneth A. Hoffman, Esq., Martin P. McDonnell, Esq., and Marsha Rule, Esq., Rutledge, Ecenia, Purnell & Hoffman, P.A., P.O. Box 551, Tallahassee, Florida 32302 on this 11th day of September, 2002.



Stephen M. Presnell
Associate Public Counsel