

ORIGINAL

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October 2, 2002

VIA HAND DELIVERY

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COMMISSION CLERK

Blanca S. Bayo, Director  
Division of Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0800

**Re: Docket No. 020413-SU - Initiation of Show Cause Proceedings against Aloha Utilities, Inc. for failure to charge approved service availability charges in violation of Order PSC-01-0326-FOF-SU and Section 367.091, F.S.**

Dear Ms. Bayo:

Attached please find the original and fifteen copies of Aloha Utilities, Inc.'s Request for Oral Argument on Aloha's Response to Show Cause Order to be filed in the above-styled docket. Also attached is a copy to be stamped and returned to our office.

Should you have questions or need any additional information, please contact me.

Thank you for your assistance in this matter.

Very truly yours,



Suzanne Brownless  
Attorney for Aloha Utilities, Inc.

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DOCUMENT NUMBER DATE  
10645 OCT-28  
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Initiation of show cause proceedings )  
against Aloha Utilities, Inc. in Pasco County )  
for failure to charge approved service )  
availability charges, in violation of Order )  
No. PSC-01-0326-FOF-SU and Section )  
367.091, Florida Statutes. )  
\_\_\_\_\_ )

DOCKET NO. 020413-SU

**REQUEST FOR ORAL ARGUMENT**  
**ON ALOHA'S RESPONSE TO SHOW CAUSE ORDER**

Aloha Utilities, Inc. (Aloha), through its undersigned counsel, pursuant to Rules 25-22.058 and 28-106.204, Florida Administrative Code, requests that the Florida Public Service Commission permit oral argument on ALOHA UTILITIES, INC.'S RESPONSE TO SHOW CAUSE ORDER NO. PSC-02-1250-SC-SU (Order 02-1250), issued on September 11, 2002, and as grounds therefore, state:

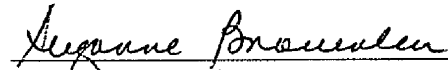
1. Order 02-1250 ordered Aloha to show cause in writing within 21 days of the date of the order why it should not be fined \$10,000 for its apparent violations of § 367.091, F.S., i.e., failure to file a revised service availability tariff and proposed customer notice regarding its service availability charge increase in May, 2001 in violation of Commission Order PSC-01-0326-FOF-SU. [Order 02-1250 at 16-7, 20-1.]

2. This case appears to be the first time that the Commission has dealt with a show cause order in which the utility under collected service availability charges. For this reason, and the associated issues of backbilling and full CIAC imputation which have also been ordered by the Commission in Order 02-1250, oral argument would assist the Commission in reaching a just and reasonable decision in this matter.

DOCUMENT NO. 02-100-54901  
10645 007-28  
FPSC-COMMISSION CLERK

**WHEREFORE**, Aloha Utilities, Inc requests that this Commission grant its request for oral argument.

Respectfully submitted this 2d day of October, 2002 by:



Suzanne Brownless

Suzanne Brownless, P.A.

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Tallahassee, Florida 32308

Phone: (850) 877-5200

FAX: (850) 878-0090

Attorney for Aloha Utilities, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT a true and correct copy of the foregoing has been provided to the persons listed below by U.S. Mail or (\*) Hand Delivery this 2d day of October, 2002.

\*Rosanne Gervasi  
Senior Attorney  
Florida Public Service Commission  
Tallahassee, FL 32399-0850

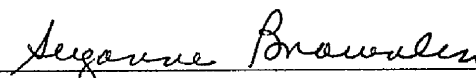
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\_\_\_\_\_  
Suzanne Brownless, Esq.