

STATE OF FLORIDA

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI  
RUDOLPH "RUDY" BRADLEY



CAPITAL CIRCLE OFFICE CENTER  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

Public Service Commission

December 31, 2002

Mr. Ed O. Wood  
1043 Daleside Lane  
New Port Richey, FL 34655-4293

RE: Docket No. 020896-WS - Petition by Customers of Aloha Utilities, Inc. for Deletion of Portion of Territory in Seven Springs Area in Pasco County

Dear Mr. Wood:

Pursuant to our telephone conversation on Friday, December 20, 2002, enclosed with this letter, please find a copy of First DCA Order granting the Commission's motion to expedite Case No. 1D02-2147 (appeal of the Commission's Final Order in Docket No. 010503-WU), and a copy of the Commission's vote sheet from the November 19, 2002 Agenda Conference.

In addition, please keep in mind that in addition to filing letters or petitions with the Commission's Division of Clerk and Administrative Services, pursuant to the Florida Rules of Civil Procedure, you are required to send a copy of any petitions or letters to all parties of record in this docket. For the purposes of this docket, the Official Parties of Record currently are:

Aloha Utilities, Inc.  
c/o F. Marshall Deterding, Esq.  
Rose, Sundstrom, & Bentley, LLP  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301

Office of Public Counsel  
c/o Stephen Burgess, Esq.  
111 W. Madison St. #812  
Tallahassee, FL32399-1400

V. Abraham Kurien, M.D.  
1822 Orchardgrove Avenue  
New Port Richey, FL 34655

Edward O. Wood  
1043 Daleside Lane  
New Port Richey, FL 34655-4293

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DOCUMENT NUMBER - DATE

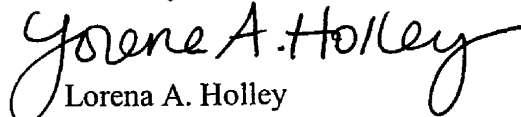
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FPSC-COMMISSION CLERK

Mr. Ed Wood  
Page 2  
December 31, 2002

Should you have any questions regarding any of the matters contained herein, please feel free to contact me.

Sincerely,

  
Lorena A. Holley  
Senior Attorney

cc: Division of the Commission Clerk and Administrative Services  
F. Marshall Deterding, Esq.  
Stephen Burgess, Esq.  
V. Abraham Kurien, M.D.

ORIGINAL

DISTRICT COURT OF APPEAL, FIRST DISTRICT  
Tallahassee, Florida 32399-1850  
Telephone No. (850) 488-6151

December 13, 2002

CASE NO.: 1D02-2147

L.T. No. : 010503-WU

Aloha Utilities, Inc.

v.

The Florida Public  
Service Commission, Et Al

Appellant / Petitioner(s),

Appellee / Respondent(s).

BY ORDER OF THE COURT:

Appellee Florida Public Service Commission's motion to expedite, filed December 9, 2002, is granted, and this appeal shall be afforded expedited consideration by the court.

I HEREBY CERTIFY that the foregoing is (a true copy of) the original court order.

Served:

F. Marshall Deterding  
Stephen C. Burgess  
Lila A. Jaber, Chairman

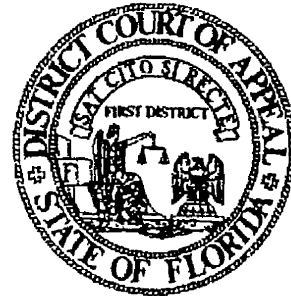
John L. Wharton  
Ralph R. Jaeger  
Blanca S. Bayo, Clerk

Samantha Cibula  
Margaret Lytle

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*John S. Wheeler*  
\_\_\_\_\_  
JOHN S. WHEELER, CLERK



DOCUMENT NUMBER-DATE

13644 DEC 16 02

FRANCIS J. CLERK

VOTE SHEET

NOVEMBER 19, 2002

RE: Docket No. 020896-WS - Petition by customers of Aloha Utilities, Inc. for deletion of portion of territory in Seven Springs area in Pasco County.

ISSUE 1: Should the Customers' Petition, along with Aloha's Motion to Dismiss, Request for Oral Argument, and the Responses filed thereto, be held in abeyance until the First DCA has rendered an opinion on Aloha's appeal of the Commission's Final Order?

RECOMMENDATION: Yes. The Customer Petition, along with Aloha's Motion to Dismiss, Request for Oral Argument, and the Responses filed thereto, should be held in abeyance until the First DCA renders an opinion on Aloha's appeal of the Commission's Final Order. If the Commission declines to abate the Customers' Petition and Aloha's Motion to Dismiss, a subsequent recommendation on the Motion to Dismiss will be filed at a later date.

**APPROVED**

*Additionally, staff was directed to file a motion to expedite appeal at 1st DCA.*

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*

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REMARKS/DISSENTING COMMENTS:

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12651 NOV 19 02

VOTE SHEET

NOVEMBER 19, 2002

Docket No. 020896-WS - Petition by customers of Aloha Utilities, Inc. for deletion of portion of territory in Seven Springs area in Pasco County.

(Continued from previous page)

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. This docket should remain open pending the outcome of the appeal of the Final Order before the First DCA.

**APPROVED**