

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties by Utilities, Inc. of Florida.

DOCKET NO. 160101-WS
ORDER NO. PSC-17-0032-PCO-WS
ISSUED: January 24, 2017

SECOND ORDER REVISING ORDER ESTABLISHING PROCEDURE

On August 31, 2016, Utilities Inc. of Florida (Utility or UIF) filed an application for an increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties in Docket No. 160101-WS. Florida Public Service Commission (Commission) staff reviewed the application and after all deficiencies were cured set November 22, 2016, as the official filing date. Order No. PSC-16-0558-PCO-WS, the Order Establishing Procedure (OEP), was issued on December 14, 2016, and was subsequently modified by Order No. PSC-16-0578-PCO-WS, issued December 20, 2016. This docket is currently scheduled for a hearing on May 8-12, 2017.

On Monday, January 9, 2017, the Office of Public Counsel (OPC) filed a Motion to Adjust Controlling Dates and Extend Testimony Filing Deadlines. In its Motion, OPC contends that due to the complexity and volume of information at issue in this case, additional time is needed for certain pre-hearing and post-hearing activities. OPC is therefore requesting that a two-week extension be granted for filing testimony, completing discovery, and filing briefs. In its Motion, OPC represents that counsel for UIF has no objection to the granting of the extension, provided the Commission renders its final decision on rates on or before July 22, 2017. No response has been filed to OPC's Motion, and the time for doing so has expired.

Having reviewed OPC's Motion, it appears that the hearing schedule in this docket can be modified without causing undue prejudice to the parties, staff, or Commission. However, as set forth below, I have granted in part and denied in part the specific dates requested by OPC, finding that the revised dates set below should afford sufficient additional time for the parties without unfairly compressing the time needed to process this case. To comply with the new dates, responses to written discovery that address matters raised in rebuttal shall be served within 10 days of receipt, and the hearing transcripts will be expedited. The controlling dates are hereby modified as follows:

	Current Date	Date Requested in OPC's Motion	Modified Date
(4) Intervenors' testimony and exhibits	February 23, 2017	March 9, 2017	March 6, 2017
(5) Staff's testimony and exhibits, if any	March 9, 2017	March 23, 2017	March 20, 2017
(6) Rebuttal Testimony and Exhibits	March 23, 2017	April 6, 2017	April 3, 2017
(7) Prehearing Statements	April 6, 2017	None	April 10, 2017
(8) Discovery deadline	April 14, 2017	April 28, 2017 ¹	April 19, 2017 (all discovery)
(9) Prehearing Conference	April 20, 2017	None	No change
(10) Hearing	May 8-12, 2017	None	No change
(11) Briefs	May 26, 2017	June 9, 2017 OR June 2, 2017 (if hearing transcripts are expedited)	June 2, 2017 (with expedited hearing transcripts)

This Revised Order is issued pursuant to the authority afforded to me by Rule 28-106.211, Florida Administrative Code, which provides that the Presiding Officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case. Order No. PSC-16-0558-PCO-WS is reaffirmed in all other respects.

It is therefore,

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that Order No. PSC-16-0578-PCO-WS, issued on December 20, 2016, shall be modified as stated above. It is further

ORDERED that Order Nos. PSC-16-0558-PCO-WS and PSC-16-0578-PCO-WS are hereby reaffirmed in all other respects.

¹ Alternatively, OPC requested that the discovery deadline be bifurcated moving the deadline for rebuttal testimony to April 28, 2017, and leaving the deadline for discovery regarding direct as scheduled.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 24th day of January, 2017.



RONALD A. BRISÉ
Commissioner and Prehearing Officer
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

WLT

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.

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; or (2) 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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.