

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation Into) DOCKET NO. 930945-WS
Florida Public Service) ORDER NO. PSC-94-1095-PCO-WS
Commission Jurisdiction Over) ISSUED: September 6, 1994
SOUTHERN STATES UTILITIES, INC.)
in Florida.)
_____)

ORDER GRANTING PETITION TO INTERVENE

BY THE COMMISSION:

On August 25, 1994, Sarasota County, by and through its attorney, Kathleen F. Schneider, filed a Petition for Leave to Intervene in the above-referenced docket. In support of its Petition, Sarasota County states that it has constitutional and statutory authority to regulate privately-owned water and wastewater facilities located in unincorporated Sarasota County and that Southern States Utilities, Inc. (SSU) owns and operates Venice Gardens water and wastewater facilities in unincorporated Sarasota County pursuant to a franchise granted by the Sarasota County Board of County Commissioners. Sarasota County particularly alleges that, under exclusive jurisdiction of the Florida Public Service Commission, local control and regulation of the SSU facilities would be eliminated; that its ability to comply with the mandates of its comprehensive plan would be undermined; and that contractual obligations existing between it and SSU would be affected. No one has filed a response in opposition to the Petition.

Pursuant to Rules 25-22.039 and 25-22.036(7)(a), Florida Administrative Code, we find that Sarasota County's substantial interests may be affected by the outcome of this proceeding. Therefore, Sarasota County's Petition for Leave to Intervene is hereby granted. Pursuant to Rule 25-22.039, Florida Administrative Code, Sarasota County, as intervenor, takes this case as it finds it.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the Petition to Intervene, filed by Sarasota County, is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents that are hereinafter filed in this proceeding, to Kathleen F.

DOCUMENT NUMBER-DATE

09151 SEP-6 1994

FPSC-RECORDS/REPORTING

ORDER NO. PSC-94-1095-PCO-WS
DOCKET NO. 930945-WS
PAGE 2

Schneider, Assistant County Attorney, Office of the County Attorney, 1549 Ringling Boulevard, Third Floor, Sarasota, Florida 34236.

By ORDER of the Florida Public Service Commission, this 6th day of September, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

CJP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.