

ORIGINAL



JACK SHREVE
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c/o The Florida Legislature
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RECORDS AND REPORTING

July 23, 1999

Ms. Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RE: Docket No. 960545-WS

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of Intervenor's Second Motion for More Time to Provide Prefiled Testimony for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

RECEIVED & FILED
[Signature]
FPSC-BUREAU OF RECORDS

Sincerely,

Harold McLean
Associate Public Counsel

HM/dsb
Enclosures

AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG 1 _____
MAS 3 _____
OPC _____
RRR _____
SEC 1 _____
WAW _____
OTH _____

DOCUMENT NUMBER-DATE

08738 JUL 23 99

FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re Investigation of Utility)
rates of Aloha Utilities, Inc.)
In Pasco County, Florida.)

DOCKET NO. 960545-WS

FILED: July 23, 1999

INTERVENORS' SECOND MOTION FOR MORE TIME
TO PROVIDE PREFILED TESTIMONY

The Citizens of the State of Florida, by and through JACK SHREVE, Public Counsel, (Citizens) and Aloha Customer Mike Fasano, (Intervenors) move the Florida Public Service Commission (Commission) for more time to provide prefiled testimony, and as grounds therefore say:

1. On July 6, 1999, the Intervenors moved for more time to file testimony in this docket, a request which was granted by Order No. PSC-99-1375-PCO-WS such that intervenor direct testimony is due on August 16, 1999;
2. On July 2, 1999, the Citizens filed their request for entry on to land, for the purpose of inspection, and taking of samples, pursuant to Florida Rules of Civil Procedure regarding discovery;
3. In the course of the discovery sought, the Intervenors expect to cause a water quality laboratory to sample and test raw and treated water taken from Aloha Utilities, Inc. facilities for further analysis; and the Intervenors expect to base part of their prefiled direct testimony upon the results obtained;
4. The results of the testing of the samples will not be available to the Intervenors until two weeks after the samples are taken;
5. The testing facility selected by the Intervenors is ready, willing, and able to conduct sampling forthwith;

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FPSC-RECORDS/REPORTING

6. Aloha's consulting engineer, however, is currently on vacation and does not return to work until August 4th, or very shortly before;
7. Because Aloha cannot agree to a date for sampling prior to August 4, 1999, the test results will not be available to the Intervenors until August 18th, two days *after* their direct testimony is due to be filed with the commission;
8. Counsel for the Citizens and for Aloha had agreed, before the two week delay between sampling and testing was known, that August 4th was a satisfactory date for the sampling; Counsel had exchanged letters to that effect;
9. The August 4th sampling date is the earliest date to which Aloha can agree for sampling to take place. Were the results to follow as they are scheduled to do on August 18, 1999, the Citizens need a two week delay in the time for filing their direct prefiled testimony such that they can incorporate the sampling and testing results in their testimony.

WHEREFORE, the Citizens so move the Commission.

Respectfully Submitted,



Harold McLean
Associate Public Counsel

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(850) 488-9330

Attorney for the Citizens
of the State of Florida

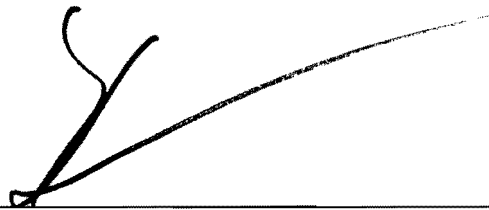
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing INTERVENORS' SECOND MOTION FOR MORE TIME TO PROVIDE PREFILED TESTIMONY has been served by United States Mail or (*) by hand delivery upon the following parties on this the 23rd day of July, 1999:

Ralph Jaeger, Esquire(*)
Division of Legal Services
Florida Public Service Commission
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Tallahassee, FL 32399-0850

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John L. Wharton, Esquire
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Assistant Public Counsel