

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a Rate) DOCKET NO. 920655-WS
Increase in Collier County by) ORDER NO. PSC-93-0082-PCO-WS
MARCO ISLAND UTILITIES) ISSUED: 01/15/93
(DELTONA).)
_____)

ORDER GRANTING MOTION FOR EXTENSION OF TIME TO
FILE TESTIMONY AND REVISING ORDER ESTABLISHING PROCEDURE

By Order No. PSC-92-1080-PCO-WS, issued September 30, 1992 (Order Establishing Procedure) dates for filing testimony in the above-referenced docket were established. On September 23, 1992, Order No. PSC-92-1050-PCO-WS was issued acknowledging the Office of Public Counsel's (OPC) intervention. The date for filing intervenor testimony as set forth in Order No. PSC-92-1080-PCO-WS is January 20, 1993.

On January 6, 1993, OPC filed a Motion to Extend Time to File Testimony. OPC requests that its deadline to file testimony be extended six days to January 26, 1993. On January 12, 1993 through January 14, 1993 depositions were held in this docket. OPC asserts that additional time is necessary to file testimony.

In support of its Motion, OPC states the following: 1) OPC attempted to schedule depositions for January 6-8, 1993; 2) the depositions were pushed back to January 12-14, 1993; 3) Southern States Utilities, Inc. (Southern States or utility) indicated to OPC that it did not object to the additional time, but it reserved the right to seek additional time to file rebuttal testimony.

On January 11, 1993, Southern States timely filed its Response to OPC Motion to Extend Time to File Testimony. As a part of its response, the utility requested that the Prehearing Officer grant Southern States an extension of time to file its rebuttal testimony which is at least equal to the additional days granted to OPC and for seven days to file rebuttal testimony following prehearing statements.

In its Response, the utility states that it does not object to OPC's request to be given additional time to file its testimony so long as the utility is given additional time to file its rebuttal testimony. In support of the utility's request, Southern States contends that it should not be penalized in terms of the number of days it has been granted to respond to OPC's testimony due to the fact that OPC elected to schedule depositions almost three months after the utility's testimony was filed.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORDER NO. PSC-93-0082-PCO-WS
DOCKET NO. 920655-WS
PAGE 2

Upon review of OPC's Motion and the utility's response, it appears that both requests are reasonable. Therefore, it is appropriate to extend the dates for filing testimony. Order No. PSC-92-1080-PCO-WS is hereby revised to the extent set forth below:

Intervenor Testimony	January 26, 1993
Staff Testimony	February 1, 1993
Rebuttal Testimony	February 17, 1993
Prehearing Statements	February 22, 1993

Based on the foregoing, it is, therefore,

ORDERED by Susan F. Clark, Prehearing Officer, that Public Counsel's Motion to Extend Time to File Testimony is granted. It is further

ORDERED that the request by Southern States Utilities, Inc. for an extension of time within which to file rebuttal is granted to the extent set forth in the body of this Order. It is further

ORDERED that Order No. PSC-92-1080-PCO-WS, Order Establishing Procedure, is hereby revised to the extent set forth in the body of this Order. It is further

ORDERED that Order No. PSC-92-1080-PCO-WS is reaffirmed in all other aspects.

By ORDER of the Florida Public Service Commission, this 15th day of January, 1993.



SUSAN F. CLARK, Commissioner
and Prehearing Officer

(S E A L)

LAJ

ORDER NO. PSC-93-0082-PCO-WS
DOCKET NO. 920655-WS
PAGE 3

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.