

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In Re: Investigation of utility rates of Aloha Utilities, Inc. in Pasco County, Florida

DOCKET NO. 960545-WS RECORDS AND REPORTING

RESPONSE TO INTERVENORS' SECOND MOTION FOR MORE TIME TO PROVIDE PREFILED TESTIMONY

COMES NOW Aloha Utilities, Inc. (hereinafter "Aloha" or "Utility"), by and through undersigned counsel, hereby files this Response to Intervenors' Second Motion for More Time to Provide Prefiled Testimony and in support thereof states as follows:

1. While the basic facts as stated in Intervenors' Second Motion for More Time to Provide Prefiled Testimony are generally accurate, Aloha contends that the conclusions are somewhat misleading, if not inaccurate.

2. After discussions between the parties immediately prior to and following the filing of the Intervenors' July 2, 1999 Request for Entry Onto Land for the Purpose of Inspection and Taking of Samples, and the Intervenors' first Motion for More Time to File Prefiled Testimony on July 6, 1999, Aloha and its representatives agreed through discussions with the staff and the Associate Public Counsel to the testing date requested by Intervenors and to the first extension of time up through August 18, 1999 (two days beyond the date requested by Intervenors).

3. After agreeing with Intervenors' requested extensions on both matters, Aloha's engineer and President thereafter confirmed preexisting plans for vacation scheduling which resulted in the Utility's engineer being out of town the two weeks prior to the proposed testing date, (and plans to return the weekend before that proposed scheduled testing). The Utility's President

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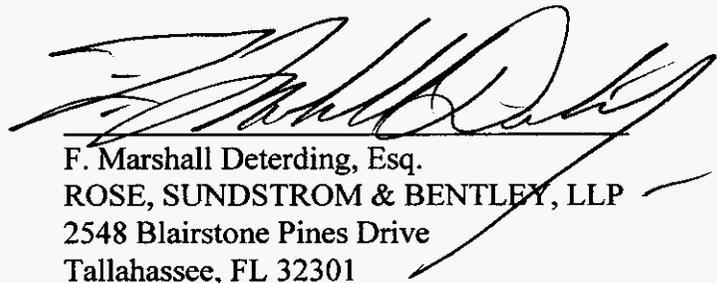
likewise confirmed plans to be out of the office beginning the day following the proposed and agreed upon testing date.

4. Intervenors' Motion now suggests that results of sampling cannot be made available prior to the requested and approved due date for Intervenors' testimony of August 18, 1999. What Intervenors failed to mention is that those results can be made available, but that Intervenors would have to pay a premium for expedited test results. Intervenors in effect are proposing to revise all the testimony dates and have everyone readjust their schedules, rather than to pay a relatively minor premium for expedited test results to conform with the schedules which Intervenors themselves requested and received.

5. Based upon the above facts, Aloha opposes any further Extension of Time for the filing of testimony by Intervenors.

6. To the extent the Commission does see fit to grant Intervenors additional time in which to file their testimony, that extension should be limited to a maximum of two weeks with all parties given the same number of additional days extension.

Respectfully submitted this 28th day of July, 1999.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished via Hand Delivery (denoted by *) and by Regular U.S. Mail to the following on this 28th day of July,

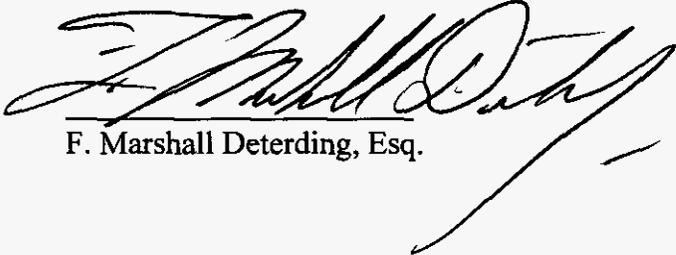
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