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October 29, 1999

**VIA HAND DELIVERY**

ROBERT M. C. ROSE  
OF COUNSEL

Blanca S. Bayo, Director  
Division of Records & Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0862

Re: Aloha Utilities, Inc.; Docket No. 960545-WS  
Investigation of utility rates of Aloha Utilities, Inc.  
Our File No. 26038.17

Dear Ms. Bayo:

Enclosed for filing please find the original and fifteen copies of Aloha Utilities, Inc.'s Prehearing Statement. **13339-99**

Also enclosed please find the original and fifteen copies of the Prefiled Rebuttal Testimony and Exhibits for the following four witnesses:

Stephen Watford **13340-99**  
Robert C. Nixon, C.P.A. **13341-99**  
David W. Porter, P.E. **13342-99**  
F. Marshall Deterding, Esq. **13343-99**

Should you have any questions regarding the above, please let me know.

Sincerely,

ROSE, SUNDSTROM & BENTLEY



F. Marshall Deterding, P.A.  
For The Firm

AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_ FMD/lm  
LEG **2** Encl.  
MAS **37402:**  
OPC \_\_\_\_\_  
PAI \_\_\_\_\_  
SEC \_\_\_\_\_  
WAW \_\_\_\_\_  
OTH \_\_\_\_\_

Ralph Jaeger, Esq.  
Jason Fudge, Esq.  
Mr. Stephen Watford  
David Porter, P.E.  
Bob Nixon, C.P.A.  
State Representative Michael Fasano  
Mr. James Goldberg  
Harold McLean, Esq.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation of utility )  
 rates of Aloha Utilities, Inc. in ) Docket No. 960545-WS  
 Pasco County. )  
 \_\_\_\_\_ )

**UTILITY'S PREHEARING STATEMENT**

Aloha Utilities, Inc. ("Aloha"), by and through its undersigned counsel, hereby files their Prehearing Statement and state:

1. All Known Witnesses:

Stephen Watford  
 Aloha Utilities, Inc.  
 2514 Aloha Place  
 Holiday, Florida 34691

Robert C. Nixon, C.P.A.  
 Cronin, Jackson, Nixon  
 & Wilson  
 2560 Gulf-to-Bay Boulevard  
 Suite 200  
 Clearwater, Florida 34625-4419

David W. Porter, P.E., C.O.  
 3197 Ryans Court  
 Green Cove Springs, FL 32043

F. Marshall Deterding, Esq.  
 Rose, Sundstrom & Bentley, LLP  
 2548 Blairstone Pines Drive  
 Tallahassee, FL 32301

2. All Known Exhibits:

The Utility will utilize all exhibits prefiled with its direct testimony and all those prefiled with its rebuttal testimony, The Utility will also use various as yet undetermined exhibits on cross-examination of other witnesses.

DOCUMENT NUMBER-DATE  
 13339 NOV-18  
 FPSD-REG-REG-REPORTING

3. Basic Position:

It is the position of Aloha that its quality of service is satisfactory and that a final determination to that effect should be made by the PSC in this Docket. Additionally, Aloha should be afforded appropriate rate relief such that its costs incurred in this proceeding will be recovered by the Utility.

4. Questions of Fact:

a. Is Aloha's quality of service satisfactory?

Position of Aloha: Yes, Aloha's quality of service is satisfactory.

b. Should Aloha be granted rate relief such that the Utility will be allowed to recover the costs it has incurred in this proceeding?

Position of Aloha: Yes, such rate relief is both appropriate and necessary.

5. Questions of Law:

To the extent the issues raised under paragraph 4 hereinabove raise mixed questions of law and fact, then those issues are also "issues of law" which are properly the subject of this proceeding.

To the extent other issues of law are appropriately the subject of this proceeding, such issues are those properly and timely raised by the other parties to this proceeding.

6. Issues of Policy:

Aloha is not aware of any specific issues of policy at this time.

7. Stipulated Issues:

Aloha is not aware of any stipulated issues by the parties at this time. Aloha is willing to discuss the possibility of stipulating such facts or issues as may be agreed upon and which would expedite this case or simplify the issues herein.

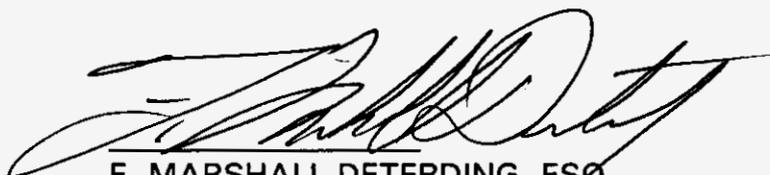
8. Pending Motions:

At the time of the filing of this Prehearing Statement, there are no pending motions in this case.

9. Requirements of Orders Which Cannot be Complied With:

Aloha is not aware of any requirements set forth in the Commission's Order No.99-0514-PSO-WS which cannot be complied with.

Respectfully submitted this  
29th day of October, 1999, by:



F. MARSHALL DETERDING, ESQ.  
JOHN L. WHARTON, ESQ.  
ROSE, SUNDSTROM & BENTLEY, LLP  
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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by \*Hand Delivery or regular U.S. Mail to the following parties this 29th of October, 1999.

\*Bobbie Reyes, Esquire  
\*Ralph Jaeger, Esquire  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

Representative Mike Fasano  
8217 Massachusetts Avenue  
New Port Richey, Florida 34653

James Goldberg, President  
1251 Trafalgar Drive  
New Port Richey, Florida 34655

Harold McLean, Esquire  
Office of Public Counsel  
c/o Florida Legislature  
111 W. Madison Street, Room 812  
Tallahassee, FL 32399-1400



F. MARSHALL DETERDING

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