

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase
in water rates in Orange County
by Wedgefield Utilities, Inc.

DOCKET NO. 991437-WU
ORDER NO. PSC-00-2182-PCO-WU
ISSUED: November 15, 2000

ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

On October 3, 2000, Wedgefield Utilities, Inc. (Wedgefield or utility) timely filed a Motion to Strike and Dismiss the Office of Public Counsel's (OPC's) Petition Requesting Section 120.57 Hearing and Protest of Proposed Agency Action (Motion to Strike and Dismiss). On October 13, 2000, OPC filed a response to Wedgefield's Motion to Strike and Dismiss.

On October 20, 2000, Wedgefield timely filed a Response and Objections to OPC's First Set of Interrogatories and First Request for Production of Documents to Wedgefield (Response and Objections). On October 23, 2000, OPC filed its First Motion to Compel, Emergency Request for Hearing, and Request for Other Relief (Motion to Compel).

On October 26, 2000, OPC timely filed a Motion to Reconsider Order Establishing Procedure (Motion to Reconsider). Thereafter, on November 3, 2000, Wedgefield filed a Motion for Summary Final Order and Motion to Amend Motion to Strike. On November 13, 2000, OPC timely filed its Response to Wedgefield's Motion for Summary Final Order.

Wedgefield's motions and OPC's responses have been scheduled to be addressed at the November 28, 2000, Agenda Conference. In light of the pending Commission decision on Wedgefield's motions, it is appropriate to defer ruling on OPC's Motion to Compel and Motion to Reconsider until after that decision is made. However, I recognize that the current schedule requires OPC to file its testimony on November 17, 2000.

Based on the foregoing, it is necessary to modify the controlling dates for this docket. Therefore, the dates set forth in the Order Establishing Procedure, Order No. PSC-00-1895-PCO-WU, are modified as follows:

DOCUMENT NUMBER-DATE

14723 NOV 15 8

FPSC-RECORDS/REPORTING

- 1) OPC's direct testimony
and exhibits, if any January 16, 2001
- 2) Staff's direct testimony
and exhibits, if any January 30, 2001
- 3) Rebuttal testimony
and exhibits February 13, 2001
- 4) Prehearing Statements February 13, 2001
- 5) Prehearing Conference March 2, 2001
- 6) Hearing March 15 and 16, 2001
- 7) Briefs April 6, 2001

Further, the discovery cut off date shall be March 8, 2001. Except as modified herein, Order No. PSC-00-1895-PCO-WU is affirmed in all other respects.

Based on the foregoing, it is

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that Order No. PSC-00-1895-PCO-WU, issued October 16, 2000, is modified as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-00-1895-PCO-WU is hereby affirmed in all other respects.

By ORDER of Commissioner Lila A. Jaber as Prehearing Officer, this 15th day of November, 2000.



LILA A. JABER
Commissioner and Prehearing Officer

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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.