

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate) DOCKET NO. 950495-WS
increase and increase in service) ORDER NO. PSC-96-0089-PCO-WS
availability charges by Southern) ISSUED: January 17, 1996
States Utilities, Inc., for)
Orange-Osceola Utilities, Inc.,)
in Osceola County, and in)
Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval,)
Highlands, Lake, Lee, Marion,)
Martin, Nassau, Orange, Osceola,)
Pasco, Putnam, Seminole, St.)
Johns, St. Lucie, Volusia, and)
Washington Counties)

ORDER GRANTING INTERVENTION
OF THE CONCERNED CITIZENS OF LEHIGH ACRES

By petition filed November 28, 1995, the Concerned Citizens of Lehigh Acres (Lehigh Acres), by and through its attorney, Michael B. Twomey, Esquire, requests leave to intervene in this proceeding. Lehigh Acres alleges that it represents approximately 500 households consisting of over 1,000 individuals. In support of its petition, Lehigh Acres states that the rate application of Southern States Utilities, Inc., (SSU) includes a request for increased water and wastewater rates to its members and that the substantial interests of its members will be determined by the proceeding.

In addition to requesting leave to intervene and permission to participate in this proceeding with full rights as a party, Lehigh Acres has also requested that the Order Granting Intervention: 1) direct SSU to immediately serve Lehigh Acres with a full and complete copy of its petition, testimony, and all supporting documentation filed with the Commission, its staff, and other parties; 2) direct Commission staff and other parties to this case to serve upon Lehigh Acres copies of all documents either filed with the Commission or served upon other parties up to, and including, the date of this Order; and 3) direct the parties to this docket to serve all documents relating to this proceeding on both its attorney and its Chairman.

No responses to Lehigh Acres' petition were received. Having reviewed the petition, it appears that Lehigh Acres' substantial interests may be affected by this proceeding. Therefore, Lehigh Acres' request to intervene is hereby granted.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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However, pursuant to Rule 25-22.039, Florida Administrative Code, Lehigh Acres takes the case as it finds it. Therefore, Lehigh Acres' request that parties be directed to serve Lehigh Acres with all previously filed documents is hereby denied. Lehigh Acres may inspect all documents on file at the Division of Records and Reporting and may either make copies or obtain documents through discovery. In addition, Lehigh Acres' request that all documents be served on Lehigh Acres' chairman, in addition to Lehigh Acres' counsel of record, is also denied. Parties shall only be required to serve documents on Lehigh Acres' counsel of record.

Based on the foregoing, it is, therefore,

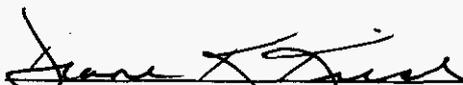
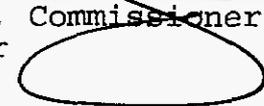
ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Petition filed by the Concerned Citizens of Lehigh Acres, for Leave to Intervene is hereby granted to the extent set forth in the body of this Order. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings, and other documents that are hereinafter filed in this proceeding, to Michael B. Twomey, Esquire, Route 28, Box 1264, Tallahassee, Florida 32310. It is further

ORDERED that the request to require the Commission and parties to serve Concerned Citizens of Lehigh Acres, with all documents filed prior to the date of this Order is hereby denied. It is further

ORDERED that the request of Concerned Citizens of Lehigh Acres, Inc., that all documents be served on its Chairman, in addition to its counsel, is hereby denied.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 17th day of January, 1996.


DIANE K. KIESLING, Commissioner and
Prehearing Officer 

(S E A L)
RRJ

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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.