

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for approval of) DOCKET NO. 950758-WS
transfer of facilities of Harbor) ORDER NO. PSC-96-0536-PCO-WS
Utilities Company, Inc. to) ISSUED: April 16, 1996
Bonita Springs Utilities and)
cancellation of Certificates)
Nos. 272-W and 215-S in Lee)
County.)
_____)

ORDER REVISING ORDER ESTABLISHING PROCEDURE

Order No. PSC-95-1424-PCO-WS, issued November 22, 1995, established controlling dates to govern this proceeding. By Order No. PSC-96-0019-PCO-WS, issued January 8, 1996, the hearing dates were changed due to difficulties in finding adequate hearing facilities. The hearing dates were established as April 4-5, 1996. Subsequently, the hearing was changed to August 9, 1996.

In Docket No. 921261-WS, a customer timely filed a protest to Proposed Agency Action Order No. PSC-95-0884-FOF-WS. Because the resolution of the protest in Docket No. 921261-WS may have an impact on the outcome of this docket, the hearing dates originally established for this docket have been transferred to Docket No. 921261-WS for the purpose of processing that docket earlier than originally anticipated. As a result, new hearing dates are needed for this docket.

Therefore, the following controlling dates shall apply:

- | | |
|--|--------------------|
| 1) Utility's direct testimony and exhibits | June 4, 1996 |
| 2) Intervenor's direct testimony and exhibits | June 18, 1996 |
| 3) Staff's direct testimony and exhibits, if any | July 3, 1996 |
| 4) Rebuttal testimony and exhibits | July 16, 1996 |
| 5) Prehearing Statements | August 16, 1996 |
| 6) Prehearing Conference | September 13, 1996 |
| 7) Hearing | September 30, 1996 |
| 8) Briefs | November 1, 1996 |

DOCUMENT NUMBER-DATE

04335 APR 16 8

FPSC-RECORDS/REPORTING

ORDER NO. PSC-96-0536-PCO-WS
DOCKET NO. 950758-WS
PAGE 2

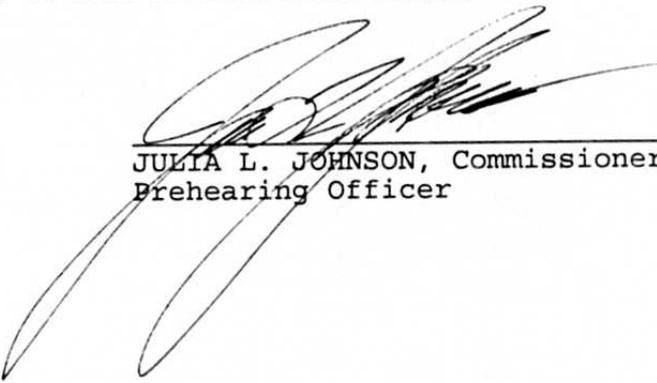
Discovery in this proceeding shall be completed by September 20, 1996. Except as modified herein, the previous order on procedure, Order No. PSC-95-1424-PCO-WS, is reaffirmed in all other respects.

Based on the foregoing, it is

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that Order No. PSC-95-1424-PCO-WS is hereby revised as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-95-1424-PCO-WS is reaffirmed in all other respects,

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 16th day of April, 1996.



JULIA L. JOHNSON, Commissioner and
Prehearing Officer

(S E A L)

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ORDER NO. PSC-96-0536-PCO-WS
DOCKET NO. 950758-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 25-22.0376, 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.