

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate) DOCKET NO. 951056-WS
increase in Flagler County by) ORDER NO. PSC-96-0597-PCO-WS
Palm Coast Utility Corporation.) ISSUED: May 7, 1996
_____)

ORDER ON CITIZENS' MOTION TO PERMIT
ADDITIONAL INTERROGATORIES

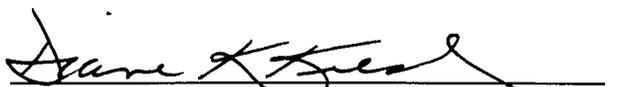
By motion dated March 29, 1996, the Citizens of the State of Florida, by and through Jack Shreve, Public Counsel (Citizens), requested that the Commission permit the Citizens to propound a maximum of 100 interrogatories in this proceeding. Rule 1.340(a), Florida Rules of Civil Procedure, restricts the amount of the interrogatories to thirty, except where good cause is shown. On April 8, 1996, Palm Coast Utility Corporation filed its response to the Citizens' motion.

Order No PSC-96-0577-PCO-WS, issued May 2, 1996, established the procedure for this docket. By that order, the amount of discovery has been set. Up to 100 interrogatories and 100 requests for production of documents will be permitted without further leave of the Prehearing Officer. Accordingly, Order No. PSC-96-0577-PCO-WS has rendered the Citizens' Motion to Permit Additional Interrogatories moot.

Based upon the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Citizens of the State of Florida's Motion to Permit Additional Interrogatories is moot.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 7th day of May, 1996.



DIANE K. KIESLING, Commissioner
and Prehearing Officer

(S E A L)

RRJ

174

DOCUMENT NUMBER-DATE
05102 MAY-7 96
FPSC-RECORDS/REPORTING

ORDER NO. PSC-96-0597-PCO-WS
DOCKET NO. 951056-WS
PAGE 2

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.

MEMORANDUM

May 6, 1996

RECEIVED
MAY 07 1996

11:26
FPSC-RECORDS/REPORTING

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (JAEGER) *RRJ*
RE: DOCKET NO. 951056-WS - APPLICATION FOR RATE INCREASE IN
FLAGLER COUNTY BY PALM COAST UTILITY CORPORATION.

0597-PCO

Attached is an ORDER ON CITIZENS' MOTION TO PERMIT
ADDITIONAL INTERROGATORIES to be issued in the above-referenced
docket. (Number of pages in Order - 2)

RRJ/dp

Attachment

cc: Division of Water and Wastewater (Willis, Crouch, Merchant,
Moniz, Rendell, Starling, Washington)

I: 9510560.RRJ

MUST GO TODAY

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