

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 960576-WS
amendment of Certificates Nos.) ORDER NO. PSC-96-1235-PCO-WS
340-W and 297-S in Pasco) ISSUED: October 4, 1996
County by Mad Hatter Utility,)
Inc.)
_____)

ORDER GRANTING JOINT MOTION FOR MODIFICATION OF CERTAIN CONTROLLING DATES AND REVISING ORDER ESTABLISHING PROCEDURE

On September 5, 1996, Mad Hatter Utility, Inc., (MHU or utility) and Pasco County (County) filed a Joint Motion for Modification of Certain Controlling dates as set forth by Order No. PSC-96-1037-PCO-WS, the Order Establishing Procedure, issued August 9, 1996, in this docket.

As grounds for their joint motion, MHU and the County state that Order No. PSC-96-1037-PCO-WS requires the prefiling of testimony and exhibits approximately four months before the scheduled discovery cut-off and hearing dates. They request that the controlling dates for the prefiling of testimony and exhibits be extended to allow parties the opportunity to provide more current information. The parties argue that it is in the interest of this Commission and of all parties concerned that the prefiled testimony and exhibits reflect the most up-to-date information available.

In consideration of the pleadings, the Joint Motion for Modification of Certain Controlling Dates is hereby granted. Therefore, the following revised dates shall control in this docket:

- 1) Utility's direct testimony and exhibits February 18, 1997
- 2) Intervenors' direct testimony and exhibits March 18, 1997
- 3) Staff's direct testimony and exhibits, if any April 8, 1997
- 4) Rebuttal testimony and exhibits April 29, 1997

Order No. PSC-96-1037-PCO-WS is affirmed in all other respects.

DOCUMENT NUMBER-DATE

10629 OCT-4 88

FPSC-RECORDS/REPORTING

ORDER NO. PSC-96-1235-PCO-WS
DOCKET NO. 960576-WS
PAGE 2


Based upon the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Joint Motion of Mad Hatter Utility, Inc., and Pasco County, for Modification of Certain Controlling Dates is hereby granted. It is further

ORDERED that Order No. PSC-96-1037-PCO-WS is hereby revised as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-96-1037-PCO-WS is affirmed in all other respects.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 4th day of October, 1996.



DIANE K. KIESLING, Commissioner and
Prehearing Officer

(S E A L)

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ORDER NO. PSC-96-1235-PCO-WS
DOCKET NO. 960576-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.