

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation of) DOCKET NO. 960814-WS
possible overearnings in Manatee) ORDER NO. PSC-96-1496-PCO-WS
County by Keith & Clara Starkey) ISSUED: December 6, 1996
d/b/a Heather Hills Estates.)
_____)

ORDER GRANTING PETITION TO INTERVENE

BY THE COMMISSION:

By Petition for Intervention filed November 18, 1996, John Morelli, Sr., and John Schanick (petitioners), pro se, requested leave to intervene in this proceeding. The petitioners stated that they are customers of Keith & Clara Starkey d/b/a Heather Hills Estates (utility) which provides water and wastewater service under Certificates Nos. 498-S and 577-W, respectively. In support of their petition, the petitioners also state that the formal hearing scheduled in this docket will adjudicate their substantial interests. No response in opposition to the petition has been filed by the existing parties.

Having reviewed the petition, it appears that the petitioners' substantial interests may be affected by this proceeding. Therefore, the Petition for Intervention shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, the petitioners take the case as they find it. All parties to this docket shall furnish copies of all testimony, exhibits, pleadings and other documents that are hereinafter filed in this proceeding, to John Morelli, Sr., 110 50th Avenue, West, Bradenton, Florida 34207, and John Schanick, 405 49th Avenue Terrace West, Bradenton, Florida 34207.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene, filed by John Morelli, Sr., and John Schanick, is hereby granted. 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 John Morelli, Sr., 110 50th Avenue, West, Bradenton, Florida 34207, and John Schanick, 405 49th Avenue Terrace West, Bradenton, Florida 34207.

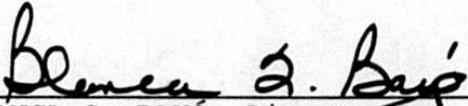
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FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 6th
day of December, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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 25-22.0376, 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.