

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase
in wastewater rates in Seven
Springs System in Pasco County
by Aloha Utilities, Inc.

DOCKET NO. 991643-SU
ORDER NO. PSC-00-1853-PCO-SU
ISSUED: October 10, 2000

ORDER REVISING PORTION OF ORDER ESTABLISHING PROCEDURE

By Order No. PSC-00-1747-PHO-SU, issued September 26, 2000, Aloha Utilities, Inc. (Aloha or utility) was allowed to file supplemental direct testimony on the issue as to whether the Commission should consider the new office building cost for the utility in this rate proceeding. The Office of Public Counsel (OPC) and staff were given until October 13 and October 18, 2000, respectively, to file testimony on the issue. Aloha is required to file any rebuttal testimony on this issue by no later than October 23, 2000, and all discovery on this issue is to be completed by October 26, 2000.

Given the short period in which testimony is due, I find it necessary to require responses to discovery on this issue to be expedited. Consequently, all responses to discovery on this issue shall be filed within seven days of service. Any outstanding discovery on this issue propounded prior to the issuance of this Order shall be responded to no later than noon on Monday, October 16, 2000. See Fla. R. Civ. P. 1.340(a) and 1.350(a), which provides that responses shall be filed within 30 days, but that "[t]he court may allow a shorter or longer time."

This Order is issued pursuant to the authority granted by Rule 28-106.211, Florida Administrative Code, which provides that the presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case.

Based upon the foregoing, it is

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that Order No. PSC-00-0872-PCO-SU is revised to reflect the expedited discovery schedule as set forth herein. It is further

ORDERED that any outstanding discovery propounded prior to the

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issuance of this Order shall be responded to no later noon on Monday, October 16, 2000. It is further

ORDERED that Order No. PSC-00-0872-PCO-SU is reaffirmed in all other respects.

By ORDER of Commissioner Lila A. Jaber, as Prehearing Officer, this 10th day of October, 2000.


LILA A. JABER
Commissioner and Prehearing Officer

(S E A L)

JKF

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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,

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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.