

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of Viva Villas Sewer System to Hudson Utilities, Inc.; cancellation of Certificate No. 220-S; and amendment of Certificate No. 104-S in Pasco County.)	DOCKET NO. 900832-SU
)	ORDER NO. 24326
)	ISSUED: 4-3-91
)	
)	

ORDER GRANTING PETITION TO INTERVENE AND PROVIDING AN EXTENSION FOR INTERVENOR TO FILE TESTIMONY

BY THE COMMISSION:

By Petition filed April 1, 1991, Viva Villas Civic Association, Inc. (Association) requests leave to intervene in this proceeding. The Association represents the interests of homeowners and residences of the Viva Villas community. In support of its Petition, the Association states that the proposed transfer is not in the public interest; it would be financially favorable to be served by Pasco County; and Pasco County would be a more reliable and efficient provider of service. No response in opposition to the Petition has been filed.

The Association has requested that its corporate officers, Robert B. Pierce and Nancy Brennan be granted Class B practitioner status. In Magnolia Nursing and Convalescent Center v Department of Health and Rehabilitative Services, 428 So.2d 256 (1st DCA 1982), the Court held that self-representation by a corporation is permissible in administrative proceedings, provided that individuals appearing on behalf of the corporation are authorized to so appear. Therefore, we find it unnecessary to grant the request for Class B practitioner status for the corporate officers, Nancy Brennan and Robert B. Pierce.

Having reviewed the Petition, it appears that the Association's substantial interests may be affected by this proceeding. Therefore, the Petition should be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, the Association takes the case as it finds it. However, in the interest of fairness, extending the due date for filing Intervenor's Testimony and Rebuttal Testimony would be appropriate in this case. Therefore, Intervenor's Testimony is due Friday, April 5, 1991, and Rebuttal Testimony is due Wednesday, April 10, 1991.

It is, therefore,

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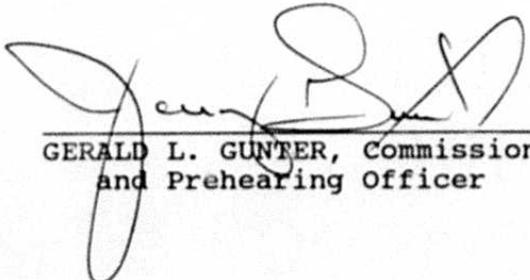
ORDERED by the Florida Public Service Commission that the Petition to Intervene, filed by Viva Villas Civic Association, Inc., is hereby granted. It is further

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 Viva Villas Civic Association, Inc., c/o Mrs. Brennan, President, 8535 Bella Via, Hudson, Florida 34667. It is further

ORDERED that the request of Viva Villas Civic Association, Inc. for Class B practitioner status for its officers is hereby denied. The officers, Nancy Brennan and Robert B. Pierce, will be permitted to represent the Viva Villas Civic Association, Inc. It is further

ORDERED that the due dates for filing Intervenor's Testimony and Rebuttal Testimony are hereby extended to April 5, 1991 and April 10, 1991, respectively.

By ORDER of Commissioner Gerald L. Gunter, as Prehearing Officer, this 3rd day of April, 1991.



GERALD L. GUNTER, Commissioner
and Prehearing Officer

(S E A L)

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