

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for a rate ) DOCKET NO. 910890-EI  
increase by Florida Power ) ORDER NO. PSC-92-1264-PCO-EI  
Corporation. ) ISSUED: 11/3/92  
\_\_\_\_\_ )

ORDER DENYING INTERVENTION

BY THE COMMISSION:

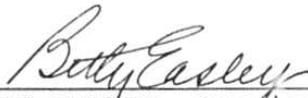
On September 30, 1992, Mr. Roy A. Day filed a Petition in Docket No. 910890-EI. In a separate pleading, Mr. Day also filed "Intervenor's Motion to Disqualify the Florida Public Service Commission," "Intervenor's Motion to Transfer to Federal Court," "Intervenor's Motion for Emergency Ruling on October 2, 1992," "Intervenor's Motion to Vacate," "Intervenor's Motion to Hold Action in Abeyance and Stay Proceedings and Rate Increase," "Intervenor's Notice of Appeal," and "Intervenor's Notice to Clerk to Transmit Documents to Court of Appeals" on September 30, 1992.

The evidentiary hearing in Docket No. 910890-EI commenced July 9, 1992, and ended July 24, 1992. Petitions for leave to intervene must be filed at least five days before the final hearing, Rule 25-22.039, Florida Administrative Code. Accordingly, we deny Mr. Day intervenor status in Docket No. 910890-EI. It is therefore improper to consider the substance of any of his pleadings.

It is, therefore,

ORDERED by Commissioner Betty Easley, as Prehearing Officer, that Mr. Roy A. Day is denied intervention in Docket No. 910890-EI.

By ORDER of Commissioner Betty Easley, as Prehearing Officer, this 3rd day of November, 1992.

  
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BETTY EASLEY, Commissioner  
and Prehearing Officer

( S E A L )

MAH:bmi

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ORDER NO. PSC-92-1264-PCO-EI  
DOCKET NO. 910890-EI  
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 25-22.038(2), 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.