

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for rate increase and for increase in service availability charges in Lake County by Lake Utility Services, Inc.

DOCKET NO. 960444-WU
ORDER NO. PSC-98-1622-PCO-WU
ISSUED: December 4, 1998

ORDER REVISING ORDER ESTABLISHING PROCEDURE

By Proposed Agency Action (PAA) Order No. PSC-97-0531-FOF-WU, issued May 9, 1997, this Commission approved, in part, and denied, in part, increased rates and charges for Lake Utility Services, Inc. (LUSI or utility). On May 30, 1997, LUSI timely filed a protest to that order. Accordingly, this matter was scheduled for an administrative hearing.

By Order No. PSC-97-0899-PCO-WU, the Commission acknowledged the Office of Public Counsel's (OPC) intervention in this docket. Pursuant to Order No. PSC-97-0710-PCO-WU (Order Establishing Procedure), issued June 16, 1997, the parties and Commission staff (staff) prefiled testimony and prehearing statements. On September 17, 1997, LUSI filed an offer of settlement of its protest to Order No. PSC-97-0531-FOF-WU. The Commission accepted LUSI's offer of settlement by PAA Order No. PSC-98-0683-AS-WU, issued May 18, 1998. On June 8, 1998, OPC timely filed a protest to that order.

Following OPC's protest of Order No. PSC-98-0683-AS-WU, LUSI filed a Notice of Withdrawal of Offer of Settlement Offer and Notice of Withdrawal of Protest of PAA Order No. PSC-97-0531-FOF-WU. By Order No. PSC-98-1582-PCO-WU, issued November 25, 1998, the Commission rejected LUSI's notice of withdrawal. Accordingly, this matter has been rescheduled for an administrative hearing. Order No. PSC-97-0710-PCO-WU is hereby revised to reflect the following controlling dates.

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| 1) Utility's direct testimony and exhibits | January 4, 1999 |
| 2) Intervenors' direct testimony and exhibits | January 25, 1999 |
| 3) Staff's direct testimony and exhibits, if any | February 8, 1999 |
| 4) Rebuttal testimony and exhibits | February 15, 1999 |

DOCUMENT NUMBER-DATE

13672 DEC-4 88

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| 5) Prehearing Statements | February 15, 1999 |
| 6) Prehearing Conference | March 1, 1999 |
| 7) Hearing | March 10-11, 1999 |
| 8) Briefs | April 1, 1999 |

Discovery in this proceeding shall be completed by March 3, 1999. Except as modified herein, Order No. PSC-97-0710-PCO-WU, is hereby reaffirmed in all respects.

Based upon the foregoing, it is

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that Order No. PSC-97-0710-PCO-WU is hereby revised as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-97-0710-PCO-WU is reaffirmed in all other respects.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 4th day of December, 1998.



SUSAN F. CLARK
Commissioner and Prehearing Officer

(S E A L)

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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, 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.