

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation into ) DOCKET NO. 930945-WS  
Florida Public Service ) ORDER NO. PSC-94-1408-S-WS  
Commission jurisdiction over ) ISSUED: November 17, 1994  
SOUTHERN STATES UTILITIES, INC. )  
in Florida. )  
\_\_\_\_\_)

ORDER GRANTING A JOINT MOTION AND STIPULATION FOR  
EXTENSION OF TIME TO FILE REBUTTAL TESTIMONY AND  
PREHEARING STATEMENTS AND TO PERMIT HILLSBOROUGH COUNTY TO  
FILE SUPPLEMENTAL DIRECT TESTIMONY

On October 19, 1994, Southern States Utilities, Inc. (SSU or utility) filed with this Commission a Joint Motion and Stipulation for Extension of Time to File Rebuttal Testimony and Prehearing Statements and to Permit Hillsborough County to File Supplemental Direct Testimony in the above-referenced docket, in which, for such purposes, it requests an extension of time until November 21, 1994. SSU represents that Sarasota County, Hillsborough County and Polk County each have authorized the utility to execute this Joint Motion and Stipulation in behalf of each of them.

In support of this Joint Motion and Stipulation, SSU states (1) that the parties agree that additional time to prepare prefiled rebuttal testimony is necessary and that no party will be prejudiced by the granting of the requested extension of time, and (2) that the parties agree that the period of time of three weeks that would remain before the prehearing conference on December 15, 1994 would be ample. SSU notes that the parties would have nearly two months following the requested extension of time in which to obtain discovery. Discovery actions are to be completed January 16, 1995.

Further, SSU states that Hillsborough County wishes to file supplemental direct testimony, which the county represents will be limited to the growth management issues raised in the prefiled testimony of Michael W. McWeeny, by October 25, 1994. SSU states that the parties stipulate to Hillsborough County's request to file supplemental direct testimony under the stated limiting conditions, each reserving its right to strike any part of such testimony allegedly beyond the scope of or irrelevant to this docket.

All of the parties of record are represented to consent to this Joint Motion for an extension of time to file rebuttal testimony and prehearing statements, and to this Stipulation to allow Hillsborough County to file supplemental direct testimony

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upon certain conditions. All of them are represented to concur that none of the timing consequences of the extension would be objectionable to them. On October 25, 1994, Hillsborough County filed the supplemental direct testimony of Gene Boles.

In consideration of the foregoing, the Joint Motion and Stipulation for Extension of Time to File Rebuttal Testimony and Prehearing Statements and to Permit Hillsborough County to File Supplemental Direct Testimony is granted.

Based on the foregoing, it is, therefore,

ORDERED by Commissioner Julia J. Johnson, as Prehearing Commissioner, that the Joint Motion and Stipulation for Extension of Time to File Rebuttal Testimony and Prehearing Statements and to Permit Hillsborough County to File Supplemental Direct Testimony is hereby granted until the close of business, November 21, 1994.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 17th day of November, 1994.

  
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JULIA L. JOHNSON, Commissioner and  
Prehearing Officer

( S E A L )

CJP

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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 25-22.038(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.