

MEMORANDUM

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January 8, 1997

FPSC RECORDS/REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (O'SULLIVAN) *MS*

RE: DOCKET NO. 960329-WS - APPLICATION FOR INCREASE IN RATES AND SERVICE AVAILABILITY CHARGES IN LEE COUNTY BY GULF UTILITY COMPANY.

DOCKET NO. 960234-WS - INVESTIGATION OF RATES OF GULF UTILITY COMPANY IN LEE COUNTY FOR POSSIBLE OVEREARNINGS

*2049-PCO*

Attached is an Order Granting Motion for Extension of Time to File Testimony to be issued in the above-referenced dockets. (Number of pages in document - 2)

MEO/dp

Attachment

cc: Division of Water and Wastewater (Willis, Crouch, Fuchs, Galloway, Merchant, Rendell, Webb, Xanders)  
Division of Auditing and Financial Analysis (Welch)  
Court Reporters  
Public Information

I: 960329-T.MO

**MUST NO RECORD**

*frankie  
Mickel*

*2/1/97*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Investigation of Rates of Gulf ) DOCKET NO. 960234-WS  
Utility Company in Lee County )  
for Possible Overearnings )  
\_\_\_\_\_ )

In Re: Application for increase ) DOCKET NO. 960329-WS  
in rates and service ) ORDER NO. PSC-97-0049-PCO-WS  
availability charges in Lee ) ISSUED: January 9, 1997  
County by Gulf Utility Company. )  
\_\_\_\_\_ )

ORDER GRANTING MOTION FOR  
EXTENSION OF TIME TO FILE TESTIMONY

The Order Establishing Procedure, Order No. PSC-96-1178-PCO-WS, issued September 20, 1996, in this docket, established January 6, 1997, as the deadline for filing testimony sponsored by the Staff of the Public Service Commission (Staff). On January 6, 1997, Staff filed the testimony of several witnesses, but requested an extension of time to file the testimony of William Scott Burns of the South Florida Water Management District (SFWMD). The motion indicated that the individual at SFWMD responsible for compiling the testimony was ill, and that parties in this docket had no objection to a brief delay.

Upon consideration, Staff's motion for an extension of time to file Mr. Burns' testimony is granted. The testimony must be filed and served upon the parties by the close of business on Friday, January 10, 1997.

Based upon the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Staff's motion for extension of time to file the testimony of William Scott Burns is hereby granted as set forth above.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 9th day of January, 1997.

  
\_\_\_\_\_  
J. TERRY DEASON, Commissioner and  
Prehearing Officer

( S E A L )

MEO

DOCUMENT NUMBER DATE

00227 JAN-96

FPSC-RECORDS/REPORTING

ORDER NO. PSC-97-0049-PCO-WS  
DOCKET NO. 960329-WS  
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 25-22.0376, 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.

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\_\_\_\_ Notice of \_\_\_\_\_ For (Date) \_\_\_\_\_ In Docket No. \_\_\_\_\_

\_\_\_\_ Other \_\_\_\_\_

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