

MEMORANDUM

MARCH 31, 1997

RECEIVED

4:40

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CYRUS-WILLIAMS) *OCW*

RE: DOCKET NO. 961152-SU - APPLICATION FOR 1996 DISPOSITION
OF CONTRIBUTIONS-IN-AID-OF-CONSTRUCTION BY HUDSON
UTILITIES, INC. D/B/A HUDSON BAY COMPANY

0363 PCD

Attached is an ORDER GRANTING HUDSON UTILITIES, INC.'S MOTION FOR CONSOLIDATION, to be issued in the above-referenced docket. Please note that this docket shall be consolidated with Dockets Nos. 961076-WS, 961077-SU, 961237-SU (Number of pages in Order - 3)

DCW/DP

Attachment

cc: Division of Water and Wastewater (Johnson)

I: 961152OR.DCW

961152
forwarded 2/0
provided 1/0
961076
4/1
total 6/1

10/27/97
10/27/97
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for 1996) DOCKET NO. 961152-SU
disposition of contributions-in-) ORDER NO. PSC-97-0363-PCO-SU
aid-of-construction by Hudson) ISSUED: April 1, 1997
Utilities, Inc. d/b/a Hudson Bay)
Company)
_____)

ORDER GRANTING HUDSON UTILITIES, INC.'S
MOTION FOR CONSOLIDATION

On February 13, 1997, Order No. PSC-97-0174-PCO-WS was issued, consolidating Dockets Nos. 961076-WS, 961077-SU, and 961237-SU. All three dockets concern the disposition of contributions-in-aid-of-construction (CIAC) gross-up funds collected by the respective utilities. That Order also established the procedure and the key activities in the cases. By Order No. PSC-97-0315-PCO-WS, issued March 24, 1997, the controlling dates for the hearing were revised.

On March 5, 1997, Hudson Utilities, Inc. (Hudson or utility) filed a Petition on Proposed Agency Action of Order No. PSC-97-0197-FOF-SU, issued February 19, 1997 in Docket No. 961152-SU, and a Motion for Consolidation. This docket also concerns the disposition of CIAC gross-up funds collected by that utility.

In its motion for consolidation, the utility states that since similar petitions on proposed agency action challenging the Commission's policy on CIAC gross-up have already been consolidated for purpose of hearing, holding a separate hearing in this case will only cause the unnecessary duplication of the time and resources of the Commission, where all four petitions raise similar issues of fact, law, and policy. The utility further states that it has conferred with counsel for the three utilities whose cases have been consolidated, and that said counsel concurs with the relief requested. No responses have been filed to the utility's motion.

After reviewing the motion, I find that it is appropriate, pursuant to Rule 25-22.035(2), Florida Administrative Code, to consolidate this docket with the above-mentioned dockets for purpose of hearing.

Accordingly, the procedures established by Orders Nos. PSC-97-0174-PCO-WS and PSC-97-0315-PCO-WS shall govern this proceeding.

DOCUMENT NUMBER DATE

03306 APR-15

FPSC-RECORDS/REPORTING

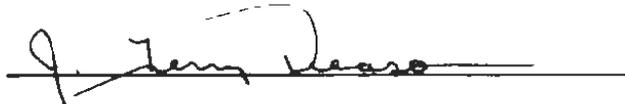
ORDER NO. PSC-97-0363-PCO-SU
DOCKET NO. 961152-SU
PAGE 2

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Hudson Utilities, Inc.'s Motion to Consolidate is granted. It is further

ORDERED that the procedures established by Orders Nos. PSC-97-0174-PCO-WS and PSC-97-0315-PCO-WS shall govern this proceeding.

By ORDER of Commission J. Terry Deason, as Prehearing Officer, this 1st day of April, 1997.



J. TERRY DEASON, Commissioner and
Prehearing Officer

(S E A L)

DCW

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.

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.