

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for rate) DOCKET NO. 950495-WS
increase and increase in service) ORDER NO. PSC-96-0544-PCO-WS
availability charges by Southern) ISSUED: April 22, 1996
States Utilities, Inc. for)
Orange-Osceola Utilities, Inc.)
in Osceola County, and in)
Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval,)
Highlands, Lake, Lee, Marion,)
Martin, Nassau, Orange, Osceola,)
Pasco, Putnam, Seminole, St.)
Johns, St. Lucie, Volusia, and)
Washington Counties.)

ORDER ON OBJECTION TO DISCOVERY

On April 1, 1996, Southern States Utilities, Inc., (SSU or utility) filed its Objection to Interrogatory 12 from Concerned Citizens of Lehigh Acres (objection). Concerned Citizens of Lehigh Acres (CCLA) did not file a response to SSU's objection.

Interrogatory 12 states as follows:

Pleased provide a listing of all assets that were obtained as part of the Lehigh Acres purchase from the Resolution Trust Company that have subsequently either been sold or transferred to another entity. For each sale or transfer, please indicate the sales or transfer price, as well as the description of the property, the date of the sale or transfer, who the sale or transfer was made to, and whether the sale or transfer was made to a "related" person whether corporate or private.

In its objection, SSU states that, while it will respond to Interrogatory 12 to the extent of transferred assets of Lehigh Utilities, Inc., (LUI) or SSU, it objects to providing any other information. SSU contends that it does not have possession, custody or control of information relating to asset transfers of Lehigh Corporation, Lehigh Acquisition Corporation or any other affiliated company involved in the Lehigh Acres acquisition. Furthermore, SSU contends that the objectionable discovery is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this proceeding.

SSU's objection is sustained. The utility shall not be required to produce the information requested in Interrogatory 12 to the extent it involves information other than that relating to asset transfers of LUI or SSU. See Order No. PSC-1258-PCO-WS, 4-5, October 13, 1995.

DOCUMENT NUMBER-DATE

04577 APR 22 86

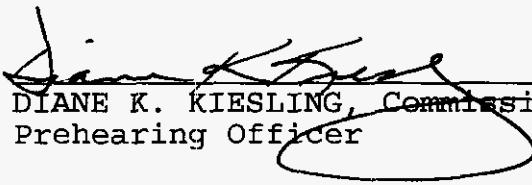
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Based on the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that Southern States Utilities, Inc.'s, Objection to Interrogatory 12 from Concerned Citizens of Lehigh Acres is sustained.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 22nd day of April, 1996.


DIANE K. KIESLING, Commissioner and
Prehearing Officer

(S E A L)
CJP

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.