

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA**

IN RE: LITTLE GASPARILLA WATER Docket No. 2011-022-W
 UTILITY, INC. (the "Utility")
 STAFF-ASSISTED
 RATE PROCEEDING

PREHEARING ORDER

Jeffrey S. Russell, having been duly appointed by the Board of County Commissioners of Charlotte County, Florida to act as Hearing Officer in this matter, hereby enters this Order, which shall govern future proceedings in this matter, except as may be modified by further Order:

1. This is a Staff-assisted rate case which has been filed pursuant to Section 3-8-55.1 of the Charlotte County Code. All aspects of this proceeding shall be governed by the Charlotte County Code, Sections 3-8-66 through 3-8-71, and by the Florida Rules of Civil Procedure, and by the Florida Evidence Code, as applicable.

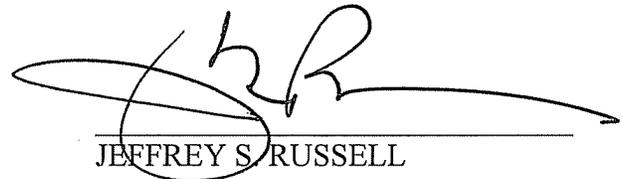
2. All petitions, pleadings and papers shall be simultaneously served electronically via email and via U.S. Mail on the Hearing Officer and on each of the parties of record, at the addresses specified below, and contemporaneously with the filing of same with Joanne Lansing, Commission Minutes Supervisor Clerk, Board of County Commissioners 18500 Murdock Circle, 4th Floor, Port Charlotte, FL 33948. Originals of all exhibits proffered and accepted at the evidentiary hearing shall be filed with Ms. Lansing or her designee.

3. A duly advertised final evidentiary hearing shall commence on Wednesday, May 23, 2012, at 3:00 P.M., at the Charlotte County Commission Administration Center, 18500 Murdock Circle, Room B-106, Port Charlotte, Florida. Public comment will be heard during the initial session and again commencing at 6:00 P.M. that evening. As noted above, this is a Staff-assisted rate case and, accordingly, the County Staff ("Staff") has prepared a rate study to be presented at the hearing and the Utility, in requesting staff assistance, has agreed to accept the final rates and charges approved by the Board of County Commissioners. Because of these parameters, the following procedural guidelines shall be in effect:
 - (a) Staff shall be considered as the moving party and shall present the rate study. In that regard, no pre-filed testimony shall be required. However, it is expected that Staff and its consultants will offer concise, substantial and competent oral testimony on the following issues:
 - (i) An overview of the Utility's past and present operations, including number of customers served, historical and future growth within the Utility's service area, and information on any prior rate filings/rate increases relative to the Utility.

- (ii) A synopsis of any issues raised by customers at the customer meeting previously conducted by Staff and the Utility.
 - (iii) An analysis of the quality of service provided by the Utility, including prior customer complaints and any regulatory actions against the Utility.
 - (iv) An analysis of the components of the rates, fees and charges being proposed for the Utility in the rate study and the opinion by Staff and its consultants as to whether such rates, fees and charges are just, reasonable, compensatory and not unfairly discriminatory.
 - (v) The potential for "rate shock" to the customers of the Utility.
 - (vi) Any other matters that Staff may wish to present to the Hearing Officer.
- (b) Following the presentation by Staff, the Utility will be afforded the opportunity to offer testimony on any issues that the Utility desires to present.
 - (c) Public comment will be requested both prior to the presentation by Staff and following the conclusion of the testimony by Staff and the Utility. Additionally, as noted above, public comment will be accepted at the 6:00 P.M. portion of the hearing.
 - (d) Exhibits proffered during the proceedings and accepted by the Hearing Officer will be marked as follows:
 - (i) Public ("P")- For any materials submitted by members of the public.
 - (ii) Staff ("S") – For proof of publication, the rate study and any other materials submitted by Staff during its presentation.
 - (iii) Utility ("U") – For any materials unilaterally submitted by the Utility.
 - (iv) Joint ("J") – For any materials jointly submitted by Staff and the Utility, including any stipulation of such parties.

4. Upon conclusion of the hearing and within the time set by the Hearing Officer, and in accordance with Section 1-10-346(j) of the Charlotte County Code, the Hearing Officer shall prepare and file with the Board of County Commissioners, a Recommended Order.

ORDERED on May 10, 2012.



JEFFREY S. RUSSELL
Hearing Officer
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Sarasota, FL 34236
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Telephone: 941-364-2703

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by email transmission and by U.S. Mail on May 10, 2012 to:

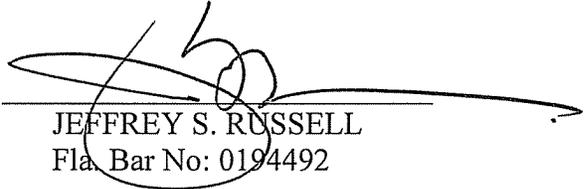
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By: _____


JEFFREY S. RUSSELL
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