

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for Limited)
Proceeding to Recover Costs of Water) Docket No. 992015-WU
System Improvements In Marion County)
By Sunshine Utilities of Central Florida,) Filed: September 13, 2002
Inc.)
_____ /

**SUNSHINE UTILITIES OF CENTRAL FLORIDA, INC.'S
OBJECTIONS TO, AND REQUESTS FOR CLARIFICATION OF,
CITIZENS' SECOND REQUEST FOR
PRODUCTION OF DOCUMENTS**

Sunshine Utilities of Central Florida, Inc. ("Sunshine"), pursuant to Rule 28-106.206, Florida Administrative Code, Rule 1.350, Florida Rules of Civil Procedure, the Order Establishing Procedure issued in this docket on June 20, 2002, and the First Order Revising Order Establishing Procedure and Controlling Dates, Granting in Part and Denying in Part Expedited Discovery and Setting Uniform Expedited Discovery Deadlines issued in this docket on August 15, 2002 (collectively the "Procedural Orders"), hereby submits its objections to, and requests for clarification of, the Citizen of the State of Florida's (the "Citizens") Second Request for Production of Documents (Nos. 31 – 39).

Preliminary Nature of These Objections

The objections stated herein are preliminary in nature and are made at this time in accordance with the referenced Procedural Orders which require objections and requests for clarification to be made within ten days of service of a discovery request. Sunshine reserves the right to supplement or

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modify its objections up to the time that it serves its responses to Citizens' Second Request for Production of Documents. Sunshine also reserves the right to file one or more motions for protective order with the Florida Public Service Commission (the "Commission") when it serves its responses on the Citizens.

General Objections

1. Sunshine objects to each and every one of the requests for production to the extent that they call for the production of privileged information, including information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law, whether such privilege or protection appears at the time the response is first made or is later determined to be applicable for any reason. Sunshine in no way intends to waive such privilege or protection.

2. Sunshine objects to producing any documents which contain proprietary confidential business information or other confidential information without provisions in place to protect the confidentiality of the information. Sunshine has not yet assembled and reviewed all documents called for in the requests. Thus, Sunshine cannot determine at this time which specific requests may call for the production of proprietary confidential business information. However, to the extent that Sunshine determines that any of the discovery requests would require the disclosure of confidential

information, Sunshine will either file a motion for protective order requesting confidential classification and procedures for protection or take other actions to protect the confidentiality of the information requested. Sunshine in no way intends to waive claims of confidentiality.

3. Sunshine objects to the Citizens' Second Request for Production of Documents to the extent that it calls for the creation of information, rather than the reporting of presently existing information, as purporting to expand Sunshine's obligation under the law.

4. Sunshine objects to the Citizens' Second Request for Production of Documents to the extent that it purports to impose duties or obligations upon Sunshine that are different from or exceed those imposed upon Sunshine by the Florida Rules of Civil Procedure.

5. Sunshine objects to the Citizens' Second Request for Production of Documents to the extent it seeks to require the production of information not in the possession, custody or control of Sunshine.

6. Sunshine objects to providing information to the extent that such information is already in the public record before the Commission and available to the Citizens through normal procedures.

7. Sunshine interprets all of the Citizens' requests as excluding documents filed with the Commission in this proceeding.

8. Sunshine incorporates by reference all of the foregoing objections into each of its specific objections set forth below as though stated therein.

Specific Objections and Requests for Clarification

Request for Production No. 31. Sunshine objects to this request to the extent that it would require Sunshine to reproduce documents already in the Citizens' possession and/or already in the public record before the Commission and available to the Citizens through normal procedures.

Request for Production No. 32. Sunshine objects to this request because it would require Sunshine to reproduce documents already in the Citizens' possession and/or already in the public record before the Commission and available to the Citizens through normal procedures. Sunshine also objects to this request to the extent it asks for documents not in the possession, custody or control of Sunshine.

Request for Production No. 33. Sunshine objects to this request because it would require Sunshine to reproduce documents already in the Citizens' possession and/or already in the public record before the Commission and available to the Citizens through normal procedures. Sunshine also objects to this request to the extent it asks for documents not in the possession, custody or control of Sunshine.

Request for Production No. 34. Sunshine objects to this request because it would require Sunshine to reproduce documents already in the

Citizens' possession and/or already in the public record before the Commission and available to the Citizens through normal procedures.

Request for Production No. 35. Sunshine objects to this request as outside the scope of this limited proceeding, irrelevant, intrusive, harassing and not calculated to lead to the discovery of admissible evidence.

Request for Production No. 36. Sunshine objects to this request as outside the scope of this limited proceeding, irrelevant, unduly burdensome, oppressive, intrusive, harassing and not calculated to the discovery of admissible evidence. Wireless telephone bill charged to the utility are not the subject, and are irrelevant to, this limited proceeding.

Request for Production No. 37. Sunshine objects to this request because it seeks documents that are outside the scope of this limited proceeding, and is irrelevant, unduly burdensome, oppressive, intrusive, harassing and not calculated to lead to the discovery of admissible evidence.

Request for Production No. 38. Sunshine objects to this request because it seeks documents that are outside the scope of this limited proceeding, and is irrelevant, vague and ambiguous, intrusive, harassing and not calculated to lead to the discovery of admissible evidence.

Request for Production No. 39. Sunshine objects to this request as outside the scope of this limited proceeding, irrelevant, overbroad, intrusive, harassing and not calculated to lead to the discovery of admissible evidence.

Respectfully submitted,

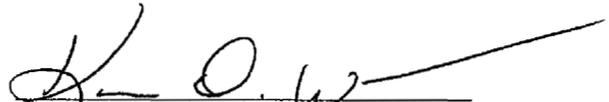


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**Attorneys for Sunshine Utilities of
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by hand delivery to Stephen C. Reilly, Associate Public Counsel, Office of Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400 and to Ralph Jaeger, Esquire, Florida Public Service Commission, Division of Legal Services, Room 370, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 all on this 13th day of September, 2002.



Karen D. Walker