

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for transfer of majority organizational control of Holiday Utility Company, Inc. in Pasco County to Holiday Waterworks Corporation, and amendment of Certificate No. 224-W.

DOCKET NO. 030458-WU  
ORDER NO. PSC-06-0686-PCO-WU  
ISSUED: August 8, 2006

ORDER GRANTING MOTION TO COMPEL

Pasco County's First Set of Interrogatories and First Request for Production of Documents were served on Holiday Utility Company, Inc. (Holiday), on May 19, 2006. Pursuant to Order No. PSC-06-0198-PCO-WU, issued March 13, 2006 (Order Establishing Procedure), any objection or request for clarification to this discovery was to be made within 10 days of service of the request. Holiday's responses were due on June 23, 2006. Holiday has neither objected nor responded to the discovery request.

On July 10, 2006, Pasco County (Pasco) filed a Motion to Compel Discovery. Holiday failed to respond to the motion, and the time for filing such response has expired. Nor has Holiday, according to Pasco, responded to Pasco's contacts inquiring into the status of the discovery response.

Pursuant to the authority granted by Rule 28-106.211, Florida Administrative Code, "[t]he presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, to prevent delay, and to promote the just, speedy, and inexpensive determination of all aspects of the case. . . ."

Therefore, in consideration of the foregoing, Pasco County's Motion to Compel is granted. Holiday shall fully respond to the discovery requests within seven calendar days from the date of this Order.

In addition, Holiday is cautioned that it is expected to familiarize itself and comply with the requirements of Order No. PSC-06-0198-PCO-WU, and this Commission's rules and statutes. To the extent Holiday needs assistance with the Commission's procedures, it should avail itself of the opportunity to contact the Commission staff attorney assigned to this docket.

It is therefore,

ORDERED by Katrina J. Tew, as Prehearing Officer, that Pasco County's Motion to Compel Discovery from Holiday Utility Company, Inc. is granted. It is further

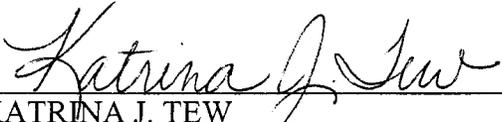
ORDERED that Holiday Utility Company, Inc. shall fully respond to the discovery requests within seven days from the date of this Order.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner Katrina J. Tew, as Prehearing Officer, this 8th day of  
August, 2006.

  
KATRINA J. TEW  
Commissioner and Prehearing Officer

( S E A L )

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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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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; or (2) 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 the Commission Clerk and Administrative Services, 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.