

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase)
in water rates in Orange County)
by Wedgefield Utilities, Inc.)
_____)

DOCKET NO. 991437-WU

Filed: July 3, 2001

WEDGEFIELD'S MOTION TO REQUIRE PRODUCTION OF DOCUMENTS
IN ONE WEEK
AND MOTION TO COMPEL RECORD KEEPING

COMES NOW Wedgefield Utilities, Inc., by and through it's undersigned attorney, and files this motion seeking an order from the Prehearing Officer requiring The Office of Public Counsel (Citizens of Florida) to produce requested time sheets, statements, and billing records one week from today, and to compel the creation of time records by attorneys in The Office of Public Counsel.

1. By it's actions in re-litigating matters decided by Final Order No PSC-98-1092-FOF-WS issued August 12, 1998 in Docket No960235-WS (the transfer proceeding), a final order which was not appealed by OPC ,The Office of Public Counsel has caused rate case expense in this proceeding to be unnecessarily increased.

2. The Office of Public Counsel is now opposing Wedgefield's rate case expense, which OPC's own actions have caused by re-litigating matters previously decided by this Commission.

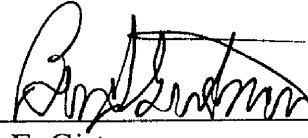
3. Wedgefield has no objection to the mutual exchange of attorneys time sheets and billing records in this case, but it does object to the failure of OPC to document it's actions in this case, which have been the cause of a significant portion of the rate case expense herein.

4. On Monday, June 2, 2001, Wedgefield served it's First Set of Requests for Production of Documents to the Office of Public Counsel seeking “. . . all time sheets, statements, and billing records relating to any and all work performed by Charles Beck, Esq., Jack Shreve, Esq., Hugh Larkin, Jr., and/or Ted L. Bidy in regard to Docket No. 991437-WU currently pending before the Florida Public Service Commission.”

5. It is a denial of due process and equal protection for one party (Wedgefield) to be denied access to information regarding the actions and time spent by an opposing party (OPC), when the sole reason for such a significant portion of the rate case expense in this case results exclusively from the actions of that opposing party.

WHEREFORE, Wedgefield Utilities, Inc. requests that the Pre-hearing Officer enter an order requiring the Office of Public Counsel (“Citizens”) to produce the documents responsive to Wedgefield’s First Set of Requests for Production to The Office of Public Counsel and to henceforth require The Office of Public Counsel to prepare, maintain and provide access to time records in all proceedings before this Commission where utilities are required to prepare, maintain and provide access to such records.

RESPECTFULLY SUBMITTED,



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Attorney for
Wedgfield Utilities, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been sent to the following by U.S. mail (or by facsimile*) this 3rd day of July, 2001.

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