

ORIGINAL

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July 31, 2001

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Room 110  
Tallahassee, Florida 32399-0850

**HAND DELIVERY**

Re: Docket No. 010006-WS

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Florida Waterworks Association are the original and fifteen copies of Florida Waterworks' Objections to Staff's First Request for Production of Documents.

Please acknowledge receipt of this document by stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for your assistance with this filing.

Sincerely,

  
J. Stephen Menton

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COMMISSION  
CLERK

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE

09715 AUG-9 2001

FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Waterworks )  
Association for a Formal Administrative )  
Proceeding on the proposed continuation )  
of the leverage formula methodology )  
for calculating a reasonable range of )  
returns on common equity for water )  
and wastewater utilities. )  
\_\_\_\_\_)

Docket No. 010006-WS

Filed: August 9, 2001

**FLORIDA WATERWORKS ASSOCIATION’S OBJECTIONS TO  
STAFF’S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Florida Waterworks Association (“FWA”), by and through its undersigned counsel, and in accordance with the Order Establishing Procedure, Order No. PSC-01-1447-PCO-WS issued July 6, 2001, hereby files its objections to Commission Staff’s First Request for Production of Documents which were served by U.S. Mail on August 1, 2001. These objections are filed pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.280, Florida Rules of Civil Procedure. FWA’s objections are as follows:

Staff’s First Request for Production of Documents No. 1 provides as follows:

Regarding the Florida Waterworks Association (“FWA”) or any of its members, please provide complete copies of all documents, reports, white papers, articles, newsletters or studies prepared since January 1, 1996 and that address Florida water and wastewater companies on any of the following topics: . . .

FWA objects to this request as overly broad, vague and ambiguous. To the extent the request seeks the production of documents authored or published by FWA and provided to its members, FWA will endeavor to determine whether any such documents exist. If the request is seeking documents that may have been prepared by or on behalf of the individual members of FWA, the request is overly broad and unduly burdensome.

DOCUMENT NUMBER-DATE

09715 AUG-9 01

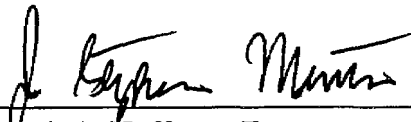
FPSC-COMMISSION CLERK

Staff's Request for Production also includes the following:

- D.R. No. 2: For members of the Florida Waterworks Association or for any Florida water and/or wastewater utility, or their parent companies, please provide complete copies of the three most recent utility credit reports by Standard & Poor's that it may have.
- D.R. No. 3: For members of the Florida Waterworks Association or for any Florida water and/or wastewater utility, or their parent companies, please provide complete copies of the three most recent utility credit reports by Moody's Investor Services that it may have.
- D.R. No. 4: For members of the Florida Waterworks Association or for any Florida water and/or wastewater utility, or their parent companies, please provide complete copies of the three most recent utility credit reports by Fitch that it may have.

To the extent the requests seek the production of documents that already exist in the files of FWA, those records will be produced if they exist. However, to the extent the requests seek FWA to research available public records and/or to create or locate files not currently in the possession of FWA, the requests are overbroad and unduly burdensome. As previously indicated, FWA will produce responsive documents to the extent they exist within the current files of the Association. However, FWA cannot be required through the discovery process to conduct research of documents readily available in the public domain.

Respectfully submitted,



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(850) 681-6515 (fax)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was furnished by U.S. Mail to the following this 9 day of August, 2001:

Ralph Jaeger  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Room 370  
Tallahassee, Florida 32399-0850

  
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J. STEPHEN MENTON, ESQUIRE

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