

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for Certificate to )  
provide water service in Volusia )  
and Brevard Counties by Farmton )  
Water Resources, LLC )

Docket No. 021256-WU

**FARMTON'S' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS  
TO TITUSVILLE, FLORIDA**

TO: Edward P. de la Parte, Jr., Esquire  
Charles R. Fletcher, Esquire  
de la Parte & Gilbert, P.A.  
Post Office Box 2350  
Tampa, FL 33601-2350

Please take notice that FARMTON WATER RESOURCES, LLC ("Farmton"), by and through its undersigned attorneys, request, pursuant to Rule 1.350, Fla.R.Civ.P., that Titusville, Florida produce and permit Farmton to inspect and copy the things enumerated herein at ROSE, SUNDSTROM & BENTLEY, 2548 Blairstone Pines Drive, Tallahassee, Florida, 32301 on or before 30 days after service of this request, or at a time mutually agreed upon, or by mailing a copy of same to the undersigned attorneys.

**I. DEFINITIONS**

1. "Document" means any document in your custody, possession or control, including, but not limited to, any printed, written, recorded, taped, electronic, graphic, or other tangible matter from whatever source, however produced or reproduced, whether in draft or otherwise, whether sent or received or neither, including the original, all amendments and addenda and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) of any and all writings, correspondence, letters, e-mails, telegrams, telex communications, cables, notes, notations, papers, newsletters, memoranda, inter-office communications, releases, agreements, contracts, books, pamphlets, studies, minutes of meetings, recordings or other memorials of any type of personal telephone conversations, meetings or conferences, reports analyses, evaluations, estimates, projections, forecasts, receipts, statements, accounts, books of account, diaries, calendars, desk pads, appointment books, stenographer's notebooks, transcripts, ledgers, registers, worksheets,

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journals, statistical records, cost sheets, summaries, lists, tabulations, digests, canceled or uncanceled checks or drafts, vouchers, charge slips, invoices, purchase orders, accountant's reports, financial statements, and any material underlying supporting or used in the preparation of any documents.

2. "Person(s)" means any natural person or any legal entity, including but not limited to, a corporation, partnership and unincorporated association, and any officer, director, employee, agent or other person acting or purporting to act on its behalf.

3. "And" and "or" shall be construed disjunctively or conjunctively as necessary in order to bring within the scope of each request all documents that might otherwise be construed to be outside its scope.

## II. INSTRUCTIONS

1. Any document as to which a claim of privilege is or will be asserted should be identified by author, signatory, description (e.g., letter, memorandum, telex, recording, etc.), title (if any), date, addresses (if any), general subject matter, present depository and present custodian, and a complete statement of the ground for any claim of privilege should be set forth.

2. If it is maintained that any document which is requested has been destroyed, set forth the contents of the document, the date of such destruction, and the name of the person who authorized or directed such destruction.

3. If any of the documents cannot be produced in full, produce to the extent possible, specifying the reasons for the inability to produce the remainder.

4. You should also consider this Request for Production of Documents a public records request under Section 119, Florida Statutes.

## PRODUCTION

1. Any and all documents identified or referenced in any way in response to the First Set of Interrogatories which accompanied this request.
2. Any and all documents, including any data stored or generated by computer, that you have provided or intend to provide to any of your witnesses, prospective witnesses or potential witnesses in this case for the purpose of that witness reviewing those documents or relying upon those documents in any fashion in preparation for presenting possible testimony in this case.
3. Any and all documents, reports, compilations of data, exhibits, summaries, analysis and treatises which you expect to offer into evidence or rely upon at the hearing in this case.

4. Please provide any documents comprising, explaining, referencing, analyzing, or discussing the City's Master Plan (or similar or analogous documents) for its public water system.
5. Please provide a copy of the Master Plan (or similar or analogous documents) for the City's public water system, or any similar or analogous documents, and any projected or anticipated changes, modifications, or alterations to the same.
6. Please provide any documents which set forth, explain, reference, analyze, or establish the City's water supply planning process, as referenced on page 2 of Ms. Grant's prefiled testimony.
7. Please provide any documents which set forth, establish, discuss, project, analyze or otherwise reference projected future water demands on the City's water system.
8. Please provide any documents which set forth, explain, reference, comprise, analyze or discuss any water use permits, or modification to existing water use permits, which the City is currently seeking or plans or anticipates seeking.
9. Please provide any documents establishing, explaining, setting forth, referencing, or analyzing the Water Supply Board of Brevard County, including, but not limited to, any Interlocal Agreement or similar or analogous documents creating said Board.
10. Please provide any documents setting forth, explaining, referencing, analyzing, or establishing how either the City of Titusville or Brevard County would provide service, on a cost effective basis or otherwise, to the area of northern Brevard County where the Farmton application proposes to provide services as referenced on page 4 of Ms. Grant's testimony.
11. Please provide any documents discussing, referencing, setting forth, establishing, supporting or analyzing the ostensible purpose of the Farmton application as described on page 5 of Ms. Grant's prefiled testimony.
12. Please provide any and all correspondence, memorandum, documents, or similar analogous writings exchanged between either the City or any of its agents or representatives and Miami Corporation or any of its agents or representatives other than as attached to Ms. Grant's testimony.
13. Please provide any and all documents establishing, setting forth, revealing, discussing, or referencing any attempt on behalf of Miami Corporation to prevent the City from developing its new well field.
14. Please provide any and all documents analyzing, projecting, discussing, referencing, or explaining how the City's failure to develop its new well field will result in higher water rates for the customers of the City's public water system.

15. Please provide any and all rate studies, analysis, comparisons, or similar analogous documents prepared by any of the City's rate consultants regarding the City's current, projected or anticipated water rates.
16. Please provide any documents revealing, setting forth, analyzing, establishing or projecting that if the City purchases bulk water from Farmton rather than owning and operating its own well field in the area, it will result in higher water rates for the customers of the City's public water system.
17. Please provide any documents revealing, setting forth, analyzing, projecting, or calculating the cost of developing a new well field by the City. Your response should include, but not be limited to, documents reflecting the effect on water rates, the cost of developing of the well field, the cost of transmission of the water, the cost of property acquisition, zoning, environmental and regulatory and related work, and similar or analogous or related costs.
18. Please provide any documents revealing, discussing, referencing, or projecting the environmental effects of your proposed well field on the area in which the well field is proposed.
19. Please provide any documents revealing, discussing, referencing, or projecting the environmental effects of your proposed well field as compared to the environmental effects of the provision of water from Farmton as proposed in Farmton's application.

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via Facsimile and U.S. Mail this 16<sup>th</sup> day of January, 2004, to:

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Respectfully submitted on this  
16th day of January, 2004, by:

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