

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for increase in water rates for Seven Springs System in Pasco County by Aloha Utilities, Inc. | DOCKET NO. 010503-WU
| DATED: FEBRUARY 4, 2005

MOTION TO EXPEDITE ALOHA'S RESPONSE
TO STAFF'S INTERROGATORY NO. 21

Comes now the staff of the Florida Public Service Commission, by and through its undersigned counsel, and moves that Aloha Utilities, Inc., be required to file its response to Staff's Interrogatory No. 21 by February 22, 2005. In support of this request, staff states as follows:

1. Staff served Interrogatory No. 21 on Aloha on February 3, 2005, by U.S. Mail, and also hand delivered two copies of the interrogatories to Aloha on that same date.

2. That interrogatory consists of three subparts and states as follows:

21. In regards to the interconnection with Pasco County for the Seven Springs System:

- a. Where would be the best place to test the Pasco County water for hydrogen sulfide or other sulfides before it enters the Aloha distribution system (please describe in detail the location)?
- b. What would be the cost for installing equipment to allow access to the water for the testing?
- c. What would be the costs for each test from such a site?

3. Pursuant to Order No. PSC-05-0069-PCO-WU, issued January 19, 2005, the discovery cut-off date is February 22, 2005.

4. Normally, pursuant to Rule 1.340(a), Florida Rules of Civil Procedure, a response would be due within 30 days, or on March 5, 2005. However, this is the only remaining interrogatory served by staff and it was not until after analysis of Dr. Levine's deposition that staff determined that it needed this information.

5. Staff believes that requiring a response time of 19 days for this one interrogatory with its three subparts would not be too onerous of a burden, and requests that the response be served on February 22, 2005.

6. In the alternative, if Aloha is unable to respond by February 22, 2005 (within 19 days), staff requests that for this one interrogatory, which was served prior to the discovery cut-off date, that Aloha be required to submit its response by no later than March 5, 2005 (normal

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response time and three days prior to hearing), and that this not be considered barred by the requirement that discovery be cut-off by February 22, 2005 pursuant to Order No. PSC-05-0069-PCO-WU.

Wherefore, Commission Staff hereby requests that the Prehearing Officer grant its request to expedite discovery, and that Aloha be made to file its response to Interrogatory No. 21 by February 22, 2005, or, in the alternative, that Aloha be required to file its response by no later than March 5, 2005.

Respectfully submitted this 4th day of
February, 2005, by:



Ralph R. Jaeger
Staff Counsel

Florida Public Service Commission
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the MOTION TO EXPEDITE ALOHA'S RESPONSE TO STAFF'S INTERROGATORY NO. 21 on behalf of the Florida Public Service Commission Staff has been HAND-DELIVERED to Marshall Deterding and John L. Wharton, Esquires, Rose, Sundstrom & Bentley, LLP, 2548 Blairstone Pines Drive, Tallahassee, FL 32301, and that a true and correct copy thereof has been furnished to the following, by U. S. Mail this 4th day of February, 2005:

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