

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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DOCKET NO.: 040384-WS

COMMISSION
CLERK

IN RE: Application of
**SANLANDO UTILITES
CORPORATION** for amendment
of water and wastewater certificates
in Seminole County, Florida.

RESPONSE TO MOTION TO STRIKE TESTIMONY OF CITY OF LONGWOOD

COMES NOW the City of Longwood, by and through undersigned counsel and files this Response to Motion to Strike Testimony of City of Longwood and in support thereof would state:

1. That the Order Establishing Procedure No. PSC-05-1001-PC-WS was never received by the undersigned and the undersigned's office was not aware of said Order until Jennifer Brubaker contacted the undersigned's office on or about December 28, 2005 and made the undersigned aware of said document.

An affidavit of Paula Sontos, Paralegal to Richard S. Taylor, Jr. is attached hereto as Exhibit "A" which indicates that this document was never received in the office of the undersigned.

2. The Prefiled Testimony filed by the City of Longwood was overnighted to the Public Service Commission on December 29, 2005 and exact copies were sent to Jennifer Brubaker, Esquire and Valerie Lord, Esquire via United States Mail on the same day. The Paralegal for the undersigned hand delivered the packages to both UPS and the post office for mailing. The document was

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docketed in with the Public Service Commission on December 30, 2005 and was in fact timely filed.

2. The testimony of Richard Kornbluh should not be dismissed. All of the documents referred to in all of the testimony have been previously filed with the Commission and forwarded to the Applicant. The City should be given an opportunity to attach any such documents as the Public Service Commission deems fit and proper to substantiate his testimony. The three (3) documents being referred to in Richard Kornbluh's testimony is being filed simultaneously herewith in the Amended Directed Testimony of Richard Kornbluh.
3. That the Applicant, Sanlando Utilities filed a Motion for Order Compelling Discovery on November 29, 2005 indicating that the City had not responded to Sanlando's First Set of Interrogatories and Second Request for Production. Upon the undersigned's office receiving a call from Valerie Lord on behalf of Sanlando Utilities indicating that discovery was outstanding, the undersigned's Paralegal informed Ms. Lord that the discovery was in fact **hand delivered** to her office on August 2, 2005. Ms. Lord responded that "just because you hand delivered it to my office doesn't mean that I received it." Ms. Lord indicated in a later telephone conversation with the undersigned's office that she had found the discovery and that it somehow had been sent to her client and no copies were made. Ms. Lord indicated that the Motion for Order Compelling

Discovery had already gone out. She failed to withdraw her incorrect motion. Ms. Lord has been extremely rude and difficult in this matter in failing to grant even minor extensions on discovery, which would be a "professional courtesy". It is apparent that the Applicant wants the Commission to rule on this Application on technical procedural matters, not on the merits.

4. The issue of "outstanding" discovery has no bearing or relation to the Motion to Strike filed herein and that portion of said Motion should be stricken or quashed by the Honorable Commission.
5. The allegations in Ms. Lord's Motion to Strike do not in any way warrant the dismissing of the objections of the City of Longwood, however, more appropriately would be the amending of the document by attaching the one (1) document that was referenced in Mr. Kornbluh's testimony. A courtesy call to the undersigned by Ms. Lord would have alleviated the need for the filing of her Motion and this Response thereto.

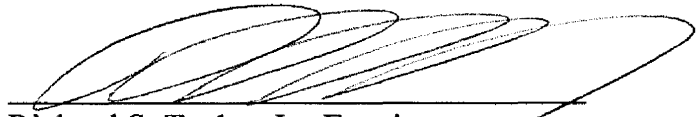
Respectfully submitted on this 12th day of
January, 2006, by:



Richard S. Taylor, Jr., Esquire
Florida Bar No.: 221686
531 Dog Track Road
Post Office Box 1117
Longwood, Florida 32752-1117
Telephone: (407) 339-7888
Attorney for City of Longwood

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail delivery to: Valerie L. Lord, Esquire, Rose, Sundstrom & Bentley,

LLP, 600 South North Lake Boulevard, Suite 160, Altamonte Springs, FL 32701 this 12th
day of January, 2006.



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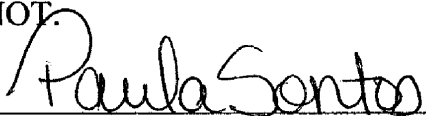
AFFIDAVIT

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

BEFORE ME, the undersigned notary, personally appeared Paula Sontos, who being
duly sworn, subscribes and states:


1. That I am the Paralegal for Richard S. Taylor, Jr., Esquire and have been so
employed for approximately nine (9) years.
2. To the best of my knowledge, we did not receive the Order Establishing
Procedure dated October 17, 2005 in our office.

FURTHER AFFIANT SAYETH NOT.



Paula Sontos

SWORN TO AND SUBSCRIBED before me this 12th day of January, 2006, by
Paula Sontos; Affiant, who provided me with personally known
as identification or who is personally known to me and she did/did not take an oath.



Notary Public - State of Florida
My Commission Expires:

EXHIBIT "A"



Russell F. McLatchey
My Commission DD217982
Expires August 27 2007