

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Southern)
States Utilities, Inc. and Deltona)
Utilities, Inc. for Increased)
Water and Wastewater Rates in)
Citrus, Nassau, Seminole, Osceola,)
Duval, Putnam, Charlotte, Lee,)
Lake, Orange, Marion, Volusia,)
Martin, Clay, Brevard, Highlands,)
Collier, Pasco, Hernando, and)
Washington Counties.)

Docket No. 920199-WS
Filed: October 8, 1992

**SOUTHERN STATES' REQUEST FOR ORAL ARGUMENT
ON MOTION FOR PROTECTIVE ORDER**

TO: HONORABLE BETTY EASLEY
Commissioner and Prehearing Officer
101 East Gaines Street
Tallahassee, Florida 32399-0850

SOUTHERN STATES UTILITIES, INC. and DELTONA UTILITIES, INC.,
(hereinafter referred to collectively as "Southern States"), by and
through its undersigned counsel, and pursuant to Rule 25-22.058,
Florida Administrative Code, hereby requests the Prehearing Officer
to grant Oral Argument on Southern States' Motion for Protective
Order Regarding Public Counsel's Notice of Deposition of Karla
Teasley and Brian Armstrong. In support of its request, Southern
States states as follows:

1. On October 2, 1992, OFFICE OF PUBLIC COUNSEL ("Public
Counsel") filed a Notice of Deposition seeking to take the
depositions of Karla Teasley, Vice President and General Counsel
of Southern States, and Brian P. Armstrong, co-counsel of record
for Southern States in this proceeding, on October 13, 1992.

2. On October 8, 1992, Southern States filed a Motion for
Protective Order addressing the following issues:

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a. that the undersigned counsel for Southern States is unavailable for depositions on October 13, 1992 but is available on October 23, 1992;

b. that there is no apparent justification supporting the extraordinary and unusual request that counsel of record appear for a deposition and that the Notice of Deposition of Mr. Armstrong appears intended to inflict undue annoyance, harassment and oppression on Mr. Armstrong and an unnecessary waste of the personnel and resources of Southern States necessary to prepare for the final hearing in both this proceeding and Docket No. 911188-WS; and

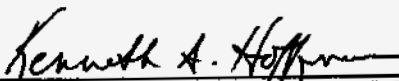
c. that if Mr. Armstrong is required to appear for deposition by the Prehearing Officer following the service of a subpoena as required by law, that the Prehearing Officer order Public Counsel to refrain from any attempt to disqualify Mr. Armstrong from appearing as co-counsel of record based on such deposition.

3. As stated in the Motion for Protective Order, Southern States is attempting to amicably resolve this dispute with Public Counsel. In the event Public Counsel maintains its request that Mr. Armstrong appear for deposition, Southern States believes Public Counsel should be required to justify why Mr. Armstrong must appear for deposition. Further, oral argument would enhance the Prehearing Officer's understanding of the specific issues and background facts raised by Southern States' Motion for Protective Order which are important to a proper disposition of this matter.

Southern States maintains that oral argument is particularly critical on this issue due to the extraordinary and unusual nature of Public Counsel's request that opposing counsel of record, Brian P. Armstrong, appear for deposition.

WHEREFORE, Southern States requests the Prehearing Officer to enter an Order granting Southern States' Request for Oral Argument on its Motion for Protective Order regarding Public Counsel's Notice of Deposition of Karla Teasley and Brian Armstrong.

Respectfully submitted,


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and

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Attorneys for Applicants Southern
States Utilities, Inc. and
Deltona Utilities, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Southern States' Request for Oral Argument on Motion for Protective Order was furnished by hand delivery(*) and/or U. S. Mail, this 8th day of October, 1992, to the following:

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By: Kenneth A. Hoffman
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