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FILE COPY

October 13, 1995

Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 950495-WS

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of Citizens' Eighth Motion to Compel and Eighth Motion to Postpone Date for Filing Intervenor Testimony.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Harold McLean
Associate Public Counsel

- ACK
- AFA 3 HM:bsr
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG 1
- LIN 5
- OPC _____
- RCH _____
- SEC 1
- WAS 1
- OTH _____

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DOCUMENT NUMBER-DATE
10154 OCT 13 95
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a rate)
increase for Orange-Osceola)
Utilities, Inc. in Osceola County,)
and in Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval,)
Highlands, Lake, Lee, Marion,)
Martin, Nassau, Orange, Osceola,)
Pasco, Putnam, Seminole, St. Johns,)
St. Lucie, Volusia, and Washington)
Counties by Southern States)
Utilities, Inc.)
_____)

Docket No. 950495-WS

Filed: October 13, 1995

**CITIZENS' EIGHTH MOTION TO COMPEL AND EIGHTH MOTION TO
POSTPONE DATE FOR FILING INTERVENOR TESTIMONY**

The Citizens of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, move the Commission to compel Southern States Utilities, Inc. ("SSU") to immediately answer the Citizens' interrogatories numbered 143, 144, 146, 148, 149, 153, 154, 156, 159, 161, 162, 163, 165, 166, 167, 173, 174, 177, 179, and 180, and to immediately produce each document responsive to Citizens' requests for production of documents numbered 178, 182, 183, and 184. In addition, the Citizens request the Commission to postpone, on a day-for-day basis, the filing date for intervenor testimony for each day SSU fails to satisfy these discovery requests.

1. The Citizens served a fifth set of interrogatories (numbered 142 through 180) and a fifth set of requests for production of documents (numbered 178 through 184) on Southern States Utilities, Inc. on Tuesday, September 12, 1995. Responses

were due on Thursday, October 12, 1995. Some responses were hand delivered on October 13, 1995.

2. SSU objected to interrogatory 157 in a pleading dated September 22, 1995.

3. SSU has neither objected to nor responded to the following:

(1) interrogatories numbered 143, 144, 146, 148, 149, 153, 154, 156, 159, 161, 162, 163, 165, 166, 167, 173, 174, 177, 179, and 180 contained in our first set of interrogatories;

(2) requests for production of documents numbered 178, 182, 183, and 184 contained in our first set of requests for production of documents;

4. Discovery is a process where the response to a discovery request is frequently the basis for further discovery focusing more narrowly on an issue. By simply ignoring the production of discovery on its due date, the process of building on that discovery and preparing follow-up questions is irrevocably delayed. Every day lost at this point takes a day away from our ability to prepare testimony responding to SSU's case.

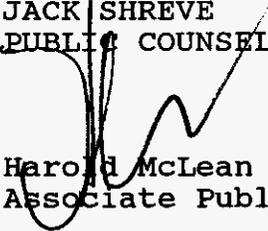
5. The Citizens request the Commission to order SSU to immediately answer the Citizens' interrogatories numbered 143, 144, 146, 148, 149, 153, 154, 156, 159, 161, 162, 163, 165, 166, 167, 173, 174, 177, 179, and 180, and to immediately produce each document responsive to Citizens' requests for production of documents numbered 178, 182, 183, and 184.

6. In addition, in order to address the irrevocable delay caused by SSU simply ignoring production of discovery on its due

date, the Citizens request the Commission to postpone, on a day-for-day basis, the filing date for intervenor testimony until SSU fully satisfies these discovery requests. Intervenor testimony is now tentatively scheduled for November 20, 1995. The day-for-day postponement should be determined using that date as a starting point.

Respectfully submitted,

JACK SHREVE
PUBLIC COUNSEL



Harold McLean
Associate Public Counsel

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Attorneys for the Citizens
of the State of Florida

**CERTIFICATE OF SERVICE
DOCKET NO. 950495-WS**

I HEREBY CERTIFY that a correct copy of the foregoing has been furnished by U.S. Mail or hand-delivery* to the following parties on this 13th day of October, 1995.

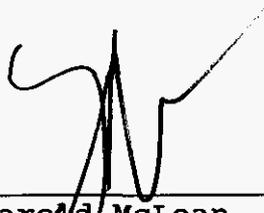
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