

RUTLEDGE, ECENIA, UNDERWOOD, PURNELL & HOFFMAN

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ATTORNEYS AND COUNSELORS AT LAW

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KENNETH A. HOFFMAN
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POST OFFICE BOX 551, 32302-0551
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TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (904) 681-6788
TELECOPIER (904) 681-6515

April 26, 1996

GOVERNMENTAL CONSULTANTS:
PATRICK R. MALOY
AMY J. YOUNG

**ORIGINAL
FILE COPY**

HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center
Room 110
Tallahassee, Florida 32399-0850

Re: Docket No. 950495-WS

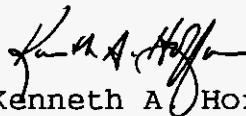
Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Southern States Utilities, Inc. are the original and fifteen copies of SSU's Notice of Filing Subpoenas and Affidavits of Return of Service.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,



Kenneth A. Hoffman

ACK _____
AFA 3 KAH/rl
APP _____
CAF _____ cc: All Parties of Record
CMU _____
CTR _____
EAG _____
LEG 1 *[Signature]*
LIN 5
OPC _____
RCH _____
SEC 1
WAS Willis
OTH _____

RECEIVED & FILED
[Handwritten initials]
FPC-RECORDS/REPORTING

DOCUMENT NUMBER-DATE

04794 APR 26 1996

FPC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL
FILE COPY

In re: Application by Southern)
States Utilities, Inc. for rate)
increase and increase in service)
availability charges 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,)
Polk, Putnam, Seminole, St. Johns,)
St. Lucie, Volusia and Washington)
Counties.)
)
)
)

Docket No. 950495-WS

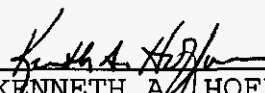
Filed: April 26, 1996

**SSU'S NOTICE OF FILING SUBPOENAS AND
AFFIDAVITS OF RETURN OF SERVICE**

Southern States Utilities, Inc. ("SSU"), hereby files the Subpoenas and Affidavits of Return of Service for the following witnesses subpoenaed by SSU:

1. Elsa Potts;
2. Van Hoofnagle;
3. David York;
4. John Sowerby;
5. B. Kenneth Gatlin (deposition);
6. Charles Hill (deposition).

Respectfully submitted,



KENNETH A. HOFFMAN, ESQ.
WILLIAM B. WILLINGHAM, ESQ.
Rutledge, Ecenia, Underwood,
Purnell & Hoffman, P.A.
P. O. Box 551
Tallahassee, FL 32302-0551
(904) 681-6788

and

BRIAN P. ARMSTRONG, ESQ.
MATTHEW FEIL, ESQ.
Southern States Utilities, Inc.
1000 Color Place
Apopka, Florida 32703
(407) 880-0058

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of SSU's Notice of Filing Subpoenas and Affidavits of Return of Service was furnished by U. S. Mail to the following on this 26th day of April, 1996:

Lila Jaber, Esq.
Division of Legal Services
2540 Shumard Oak Boulevard
Gerald L. Gunter Building
Room 370
Tallahassee, FL 32399-0850

Mr. John D. Mayles
President
Sugarmill Woods Civic Asso.
91 Cypress Blvd., West
Homosassa, FL 34446

Charles J. Beck, Esq.
Office of Public Counsel
111 W. Madison Street
Room 812
Tallahassee, FL 32399-1400

Arthur I. Jacobs, Esq.
P. O. Box 1110
Fernandina Beach, FL
32305-1110

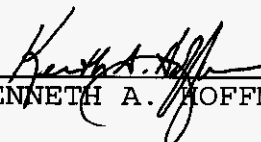
Michael B. Twomey, Esq.
P. O. Box 5256
Tallahassee, FL 32314-5256

Mr. Frank Kane
1208 E. Third Street
Lehigh Acres, FL 33936

Mr. Kjell Pettersen
P. O. Box 712
Marco Island, FL 33969

Mr. Paul Mauer, President
Harbour Woods Civic Association
11364 Woodsong Loop N
Jacksonville, FL 32225

Larry M. Haag, Esq.
111 West Main Street
Suite #B
Inverness, FL 34450


KENNETH A. HOFFMAN, ESQ.

RETURN OF SERVICE
AFFIDAVIT

Elva Patti SUBJECT TO BE SERVED Rm #196 ADDRESS Twin Towers Office Bldg
FLORIDA PUBLIC SERVICE COMMISSION vs. Murten DEFENDANT - RESPONDENT
COURT Subpoena Docket # 950495 W.S. CASE # 9-29-96 COURT DATE
TYPE OF WRIT 001 CFS IJN Ron Boyce SERVER

Received this writ on the 15 day of April, 1996, and served the same at 1:24 o'clock P M. on the 15 day of April, 1996, in LEON County, Florida as follows:

INDIVIDUAL: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me, to: Elva Patti

GOVERNMENT AGENCY, OFFICIAL ASSOCIATION, or PARTNERSHIP: By delivering a true copy of the original thereof with date and hour of thereon to which was attached a copy of the Plaintiff's pleading to: _____ as _____ of the within named Defendant to wit: _____

CORPORATION: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me:

To: _____ as _____ of the within named corporation in the absence of any higher ranking officer as defined in F.S. 48.081 (1).
To: _____ as registered agent of the within named corporation according to F.S. 48.081 (3).
To: _____ as an employee of the within named corporation at said corporation's place of business because service could not be made on the registered agent for failure to comply with F.S. 48.091.

SECRETARY OF THE STATE OR INSURANCE COMMISSIONER: By delivering a true copy of this writ with the date and hour of service thereon, together with a copy of the pleadings as furnished by the Plaintiff, to _____ of the State of Florida, as the designated agent to accept service of process for and on behalf of the within named Defendant, _____ and at the same time delivering into the hands of the said Secretary of State in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 48.161 or Insurance Commissioner in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 624.502.

NOT FOUND: By returning said writ unserved for the reason that after diligent search and inquiry the named person to wit _____ could not be found in _____ County, Florida.

I CERTIFY that at the time of service, I placed on the face of that process my printed name, signature, identification number, a statement that I am a certified process server in the Second Judicial Circuit of Florida, and that I endorsed on that original process and all copies served, the date and hour of service.

Service Fee: 20⁰⁰ Advanced Investigations of Tallahassee, Inc. Fee Tendered: _____ (Witness, etc.)
231 Lafayette Circle, Tallahassee, FL 32303

Additional Time: _____ Ron Boyce #001 (904) 222-1998

Additional Mileage: _____ R. J. Perry #001
Certified Process Server/Second Judicial Circuit/Florida/County

Status: Paid _____ A/R _____

Attorney or Firm: Ken A. Hoffmann Esq. - Rutledge, Eckenrode Law Firm
7217 FL.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Docket No. 950495-WS -)
Application for rate increase and)
increase in service availability)
charges by Southern States Utilities))
Utilities, Inc. for Orange-Osceola)
Utilities, Inc. in Osceola County,)
and in Bradford, Brevard, Charlotte,))
Citrus, Clay, Collier, Duval, High-))
lands, Lake, Lee, Marion, Martin,)
Nassau, Orange, Osceola, Pasco, Put-))
nam, Seminole, St. Johns, St. Lucie,))
Volusia, and Washington Counties.)

SUBPOENA

APPROVED AND FORWARDED:
7 11 96 1:24p
R. J. ...
572-C
- 196

THE STATE OF FLORIDA

TO: Elsa Potts, 2600 Blairstone Road, Twin Towers Office Bldg., Tallahassee, Florida 32399-2400

YOU ARE COMMANDED to appear before the Florida Public Service Commission in Room 148 of the Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida, on April 29, 1996, at 9:30 a.m., to testify in this action. If you fail to appear, you may be held in contempt.

YOU ARE SUBPOENAED to appear by the following attorneys and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

DATED on April 12, 1996.

Blanca S. Bayó

Blanca S. Bayó, Director
Records and Reporting
Florida Public Service Commission

(S E A L)

Kenneth A. Hoffman, William B. Willingham, Brian P. Armstrong, and Matthew Feil
Attorneys for Southern States Utilities, Inc., 1000 Color Place, Apopka FL 32703

AUTHORITY:

Florida Statutes 120.58(1), (3)

(1) (b) An agency or its duly empowered presiding officer or a hearing officer has the power to swear witnesses and take their testimony under oath, to issue subpoenas upon the written request of any party or upon its own motion, and to effect discovery on the written request of any party by any means available to the courts and in the manner provided in the Florida Rules of Civil Procedure, including the imposition of sanctions, except contempt. . . .

(3) A party may seek enforcement of a subpoena, order directing discovery, or order imposing sanctions issued under the authority of this act by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while a subpoena is being challenged under subsection (2). The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

Rule 25-22.045, Florida Administrative Code

(1) When the proceeding is before the Commission or member thereof, subpoenas may be issued by the presiding officer or the Division of Records and Reporting on subpoena forms supplied by the Commission. When the proceeding is before a hearing officer of the Division of Administrative Hearings, subpoenas may be issued by the Hearing Officer.

(2) A party shall apply in writing for the issuance of subpoenas requiring the attendance of witnesses or production of records, files, and memoranda from any place in the state, at any designated place of hearing before the presiding officer, for the purpose of taking the testimony of such witness or inspection of documents. An application for the subpoena shall state the name and address of the witness for whom the subpoena is to be issued, and the time and place for the witness to appear.

(3) Any party or person against whom a subpoena is directed may file a motion to quash or limit the subpoena with the agency having jurisdiction of the dispute. The motion shall set forth the ground relied upon.

(4) A subpoena may be served by any person authorized by law to serve process or by any person who is not a party and who is of majority age. Service shall be made by delivering a copy thereof to the person named in the subpoena. Proof of service shall be made by affidavit of the person making service if service is not made by an officer authorized by law to do so.

(5) Service of a subpoena may also be effected by certified mail, in which case the return receipt must be signed by the person named in the subpoena.

RETURN OF SERVICE
AFFIDAVIT

Van Hoefnagle Rm 249E Twin Towers Office Bldg
SUBJECT TO BE SERVED ADDRESS TLH, FL

PLAINTIFF - PETITIONER vs. DEFENDANT - RESPONDENT
Florida Public Service Commission Muttler
COURT CASE # COURT DATE
Subpoena Doc # 95049CL-1 4-29-96

TYPE OF WRIT 001 Ron Boyce
CPS ID# SERVER

Received this writ on the 15 day of April, 1996, and served the same at 1:15 o'clock P M. on the 15 day of April, 1996, in Leon County, Florida as follows:

INDIVIDUAL: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me, to:

GOVERNMENT AGENCY, OFFICIAL ASSOCIATION, or PARTNERSHIP: By delivering a true copy of the original thereof with date and hour of thereon to which was attached a copy of the Plaintiff's pleading to: John Sawyer as Co-Worker of the within named defendant to wit: Van Hoefnagle.
Muttler to accept process for Van Hoefnagle who is on vacation leave.

CORPORATION: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me:

To: _____ as _____ of the within named corporation in the absence of any higher ranking officer as defined in F.S. 48.081 (1).
To: _____ as registered agent of the within named corporation according to F.S. 48.081 (3).
To: _____ as an employee of the within named corporation at said corporation's place of business because service could not be made on the registered agent for failure to comply with F.S. 48.091.

SECRETARY OF THE STATE OR INSURANCE COMMISSIONER: By delivering a true copy of this writ with the date and hour of service thereon, together with a copy of the pleadings as furnished by the Plaintiff, to _____ of the State of Florida, as the designated agent to accept service of process for and on behalf of the within named Defendant, _____ and at the same time delivering into the hands of the said Secretary of State in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 48.161 or Insurance Commissioner in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 624.502.

NOT FOUND: By returning said writ unserved for the reason that after diligent search and inquiry the named person to wit _____ could not be found in _____ County, Florida.

I CERTIFY that at the time of service, I placed on the face of that process my printed name, signature, identification number, a statement that I am a certified process server in the Second Judicial Circuit of Florida, and that I endorsed on that original process and all copies served, the date and hour of service.

Service Fee: 20.00 Advanced Investigations of Tallahassee, Inc. Fee Tendered: _____
231 Lafayette Circle, Tallahassee, FL 32303 (Witness, etc.)

Additional Time: _____ Ron Boyce #001 (904) 222-1998

Additional Mileage: _____ R. J. Boyce #001
Certified Process Server/Second Judicial Circuit/Florida/County

Status: Paid _____ A/R _____

Attorney or Firm: Ken A. Huffman Esq. - Rutledge, Eckenrode Law Firm
TLH, FL.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Docket No. 950495-WS -)
Application for rate increase and)
increase in service availability)
charges by Southern States Utilities)
Utilities, Inc. for Orange-Osceola)
Utilities, Inc. in Osceola County,)
and in Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval, High-)
lands, Lake, Lee, Marion, Martin,)
Nassau, Orange, Osceola, Pasco, Put-)
nam, Seminole, St. Johns, St. Lucie,)
Volusia, and Washington Counties.)

SUBPOENA

4 11 96 1:15 p
R. J. Perez #601
bx J-hu S. H. 2996

THE STATE OF FLORIDA

TO: Van Hoofnagle, 2600 Blairstone Road, Twin Towers Office Bldg., Tallahassee, Florida 32399-2400

YOU ARE COMMANDED to appear before the Florida Public Service Commission in Room 148 of the Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida, on April 29, 1996, at 9:30 a.m., to testify in this action. If you fail to appear, you may be held in contempt.

YOU ARE SUBPOENAED to appear by the following attorneys and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

DATED on April 12, 1996.

Blanca S. Bayó

Blanca S. Bayó, Director
Records and Reporting
Florida Public Service Commission

(S E A L)

Kenneth A. Hoffman, William B. Willingham, Brian P. Armstrong, and Matthew Feil
Attorneys for Southern
States Utilities, Inc., 1000
Color Place, Apopka FL 32703

AUTHORITY:

Florida Statutes 120.58(1), (3)

(1) (b) An agency or its duly empowered presiding officer or a hearing officer has the power to swear witnesses and take their testimony under oath, to issue subpoenas upon the written request of any party or upon its own motion, and to effect discovery on the written request of any party by any means available to the courts and in the manner provided in the Florida Rules of Civil Procedure, including the imposition of sanctions, except contempt. . . .

(3) A party may seek enforcement of a subpoena, order directing discovery, or order imposing sanctions issued under the authority of this act by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while a subpoena is being challenged under subsection (2). The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

Rule 25-22.045, Florida Administrative Code

(1) When the proceeding is before the Commission or member thereof, subpoenas may be issued by the presiding officer or the Division of Records and Reporting on subpoena forms supplied by the Commission. When the proceeding is before a hearing officer of the Division of Administrative Hearings, subpoenas may be issued by the Hearing Officer.

(2) A party shall apply in writing for the issuance of subpoenas requiring the attendance of witnesses or production of records, files, and memoranda from any place in the state, at any designated place of hearing before the presiding officer, for the purpose of taking the testimony of such witness or inspection of documents. An application for the subpoena shall state the name and address of the witness for whom the subpoena is to be issued, and the time and place for the witness to appear.

(3) Any party or person against whom a subpoena is directed may file a motion to quash or limit the subpoena with the agency having jurisdiction of the dispute. The motion shall set forth the ground relied upon.

(4) A subpoena may be served by any person authorized by law to serve process or by any person who is not a party and who is of majority age. Service shall be made by delivering a copy thereof to the person named in the subpoena. Proof of service shall be made by affidavit of the person making service if service is not made by an officer authorized by law to do so.

(5) Service of a subpoena may also be effected by certified mail, in which case the return receipt must be signed by the person named in the subpoena.

8674-A

RETURN OF SERVICE
AFFIDAVIT

David York SUBJECT TO BE SERVED Room 196 ADDRESS Twin Towers Office Bldg
FLA, FL
PLAINTIFF - PETITIONER vs. DEFENDANT - RESPONDENT
Florida Public Service Commission Murten
COURT CASE # 9-29-96
Subpoena Docket # 950495-LS COURT DATE
TYPE OF WRIT 001 Ron Boyce
CPS ID# SERVER

Received this writ on the 15 day of April, 1996, and served the same at 1:20 o'clock P.M. on the 15 day of April, 1996, in Leon County, Florida as follows:

INDIVIDUAL: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me, to: David York

GOVERNMENT AGENCY, OFFICIAL ASSOCIATION, or PARTNERSHIP: By delivering a true copy of the original thereof with date and hour of thereon to which was attached a copy of the Plaintiff's pleading to: _____ as _____ of the within named Defendant to wit: _____

CORPORATION: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me:

To: _____ as _____ of the within named corporation in the absence of any higher ranking officer as defined in F.S. 48.081 (1).
To: _____ as registered agent of the within named corporation according to F.S. 48.081 (3).
To: _____ as an employee of the within named corporation at said corporation's place of business because service could not be made on the registered agent for failure to comply with F.S. 48.091.

SECRETARY OF THE STATE OR INSURANCE COMMISSIONER: By delivering a true copy of this writ with the date and hour of service thereon, together with a copy of the pleadings as furnished by the Plaintiff, to _____ of the State of Florida, as the designated agent to accept service of process for and on behalf of the within named Defendant, _____ and at the same time delivering into the hands of the said Secretary of State in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 48.161 or Insurance Commissioner in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 624.502.

NOT FOUND: By returning said writ unserved for the reason that after diligent search and inquiry the named person to wit _____ could not be found in _____ County, Florida.

I CERTIFY that at the time of service, I placed on the face of that process my printed name, signature, identification number, a statement that I am a certified process server in the Second Judicial Circuit of Florida, and that I endorsed on that original process and all copies served, the date and hour of service.

Service Fee: 200 Advanced Investigations of Tallahassee, Inc. Fee Tendered: _____
231 Lafayette Circle, Tallahassee, FL 32303 (Witness, etc.)
Ron Boyce #001 (904) 222-1998

Additional Time: _____
Additional Mileage: _____
R.G. Perry #001
Certified Process Server/Second Judicial Circuit/Florida/County

Status: Paid _____ A/R _____

Attorney or Firm: Ken A. Hurreman Esq. - Rutledge, Egan & Law Firm
TLH, FL. 8675

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Docket No. 950495-WS -)
Application for rate increase and)
increase in service availability)
charges by Southern States Utilities)
Utilities, Inc. for Orange-Osceola)
Utilities, Inc. in Osceola County,)
and in Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval, High-)
lands, Lake, Lee, Marion, Martin,)
Nassau, Orange, Osceola, Pasco, Put-)
nam, Seminole, St. Johns, St. Lucie,)
Volusia, and Washington Counties.)

SUBPOENA

Advanced Investigations of Utilities, Inc.
Served 4/15/96 1:20p
R. J. DeW
By Blanca S. Bayo, Director
Records and Reporting
Florida Public Service Commission

512E
196

THE STATE OF FLORIDA

TO: David York, 2600 Blairstone Road, Twin Towers Office Bldg., Tallahassee, Florida 32399-2400

YOU ARE COMMANDED to appear before the Florida Public Service Commission in Room 148 of the Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida, on April 29, 1996, at 9:30 a.m., to testify in this action. If you fail to appear, you may be held in contempt.

YOU ARE SUBPOENAED to appear by the following attorneys and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

DATED on April 12, 1996.

Blanca S. Bayo

Blanca S. Bayo, Director
Records and Reporting
Florida Public Service Commission

(S E A L)

Kenneth A. Hoffman, William B. Willingham, Brian P. Armstrong, and Matthew Feil
Attorneys for Southern States Utilities, Inc., 1000 Color Place, Apopka FL 32703

AUTHORITY:

Florida Statutes 120.58(1), (3)

(1) (b) An agency or its duly empowered presiding officer or a hearing officer has the power to swear witnesses and take their testimony under oath, to issue subpoenas upon the written request of any party or upon its own motion, and to effect discovery on the written request of any party by any means available to the courts and in the manner provided in the Florida Rules of Civil Procedure, including the imposition of sanctions, except contempt. . . .

(3) A party may seek enforcement of a subpoena, order directing discovery, or order imposing sanctions issued under the authority of this act by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while a subpoena is being challenged under subsection (2). The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

Rule 25-22.045, Florida Administrative Code

(1) When the proceeding is before the Commission or member thereof, subpoenas may be issued by the presiding officer or the Division of Records and Reporting on subpoena forms supplied by the Commission. When the proceeding is before a hearing officer of the Division of Administrative Hearings, subpoenas may be issued by the Hearing Officer.

(2) A party shall apply in writing for the issuance of subpoenas requiring the attendance of witnesses or production of records, files, and memoranda from any place in the state, at any designated place of hearing before the presiding officer, for the purpose of taking the testimony of such witness or inspection of documents. An application for the subpoena shall state the name and address of the witness for whom the subpoena is to be issued, and the time and place for the witness to appear.

(3) Any party or person against whom a subpoena is directed may file a motion to quash or limit the subpoena with the agency having jurisdiction of the dispute. The motion shall set forth the ground relied upon.

(4) A subpoena may be served by any person authorized by law to serve process or by any person who is not a party and who is of majority age. Service shall be made by delivering a copy thereof to the person named in the subpoena. Proof of service shall be made by affidavit of the person making service if service is not made by an officer authorized by law to do so.

(5) Service of a subpoena may also be effected by certified mail, in which case the return receipt must be signed by the person named in the subpoena.

RETURN OF SERVICE
AFFIDAVIT

4/29/96

John Sawyer SUBJECT TO BE SERVED Suite # 249D ADDRESS Twin Towers Office Bldg
TLH, FL

PLAINTIFF - PETITIONER Florida Public Service Commission vs. DEFENDANT - RESPONDENT Myrthen
COURT Subpoena CASE # 9-29-96 COURT DATE

Docket # 950496-L.S. TYPE OF WRIT 001 Ron Boyce
CPS ID# SERVER

Received this writ on the 15 day of April, 1996, and served the same at 1:11 o'clock P.M. on the 15 day of April, 1996, in Leon County, Florida as follows:

INDIVIDUAL: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me, to: John Sawyer

GOVERNMENT AGENCY, OFFICIAL ASSOCIATION, or PARTNERSHIP: By delivering a true copy of the original thereof with date and hour of thereon to which was attached a copy of the Plaintiff's pleading to: _____ as _____ of the within named Defendant to wit: _____

CORPORATION: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me:

To: _____ as _____ of the within named corporation in the absence of any higher ranking officer as defined in F.S. 48.081 (1).
To: _____ as registered agent of the within named corporation according to F.S. 48.081 (3).
To: _____ as an employee of the within named corporation at said corporation's place of business because service could not be made on the registered agent for failure to comply with F.S. 48.091.

SECRETARY OF THE STATE OR INSURANCE COMMISSIONER: By delivering a true copy of this writ with the date and hour of service thereon, together with a copy of the pleadings as furnished by the Plaintiff, to _____ of the State of Florida, as the designated agent to accept service of process for and on behalf of the within named Defendant, _____ and at the same time delivering into the hands of the said Secretary of State in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 48.161 or Insurance Commissioner in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 624.502.

NOT FOUND: By returning said writ unserved for the reason that after diligent search and inquiry the named person to wit _____ could not be found in _____ County, Florida.

I CERTIFY that at the time of service, I placed on the face of that process my printed name, signature, identification number, a statement that I am a certified process server in the Second Judicial Circuit of Florida, and that I endorsed on that original process and all copies served, the date and hour of service.

Service Fee: 20⁰⁰ Advanced Investigations of Tallahassee, Inc. Fee Tendered: _____
231 Lafayette Circle, Tallahassee, FL 32303 (Witness, etc.)

Additional Time: _____ Ron Boyce #001 (904) 222-1998

Additional Mileage: _____ R. J. Boyce #001
Certified Process Server/Second Judicial Circuit/Florida/County

Status: Paid _____ A/R _____

Attorney or Firm: Ken A. Hurreman Esq. - Rutledge, Egan & Law Firm
TLH, FL.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Docket No. 950495-WS -)
Application for rate increase and)
increase in service availability)
charges by Southern States Utilities)
Utilities, Inc. for Orange-Osceola)
Utilities, Inc. in Osceola County,)
and in Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval, High-)
lands, Lake, Lee, Marion, Martin,)
Nassau, Orange, Osceola, Pasco, Put-)
nam, Seminole, St. Johns, St. Lucie,)
Volusia, and Washington Counties.)

SUBPOENA

4 1596 11/14
R. J. Bayo #01

249-0

THE STATE OF FLORIDA

TO: John Sowerby, 2600 Blairstone Road, Twin Towers Office Bldg., Tallahassee, Florida 32399-2400

YOU ARE COMMANDED to appear before the Florida Public Service Commission in Room 148 of the Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida, on April 29, 1996, at 9:30 a.m., to testify in this action. If you fail to appear, you may be held in contempt.

YOU ARE SUBPOENAED to appear by the following attorneys and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

DATED on April 12, 1996.

Blanca S. Bayo

Blanca S. Bayo, Director
Records and Reporting
Florida Public Service Commission

(S E A L)

Kenneth A. Hoffman, William B. Willingham, Brian P. Armstrong, and Matthew Feil
Attorneys for Southern States Utilities, Inc., 1000 Color Place, Apopka FL 32703

AUTHORITY:

Florida Statutes 120.58(1), (3)

(1) (b) An agency or its duly empowered presiding officer or a hearing officer has the power to swear witnesses and take their testimony under oath, to issue subpoenas upon the written request of any party or upon its own motion, and to effect discovery on the written request of any party by any means available to the courts and in the manner provided in the Florida Rules of Civil Procedure, including the imposition of sanctions, except contempt. . . .

(3) A party may seek enforcement of a subpoena, order directing discovery, or order imposing sanctions issued under the authority of this act by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while a subpoena is being challenged under subsection (2). The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

Rule 25-22.045, Florida Administrative Code

(1) When the proceeding is before the Commission or member thereof, subpoenas may be issued by the presiding officer or the Division of Records and Reporting on subpoena forms supplied by the Commission. When the proceeding is before a hearing officer of the Division of Administrative Hearings, subpoenas may be issued by the Hearing Officer.

(2) A party shall apply in writing for the issuance of subpoenas requiring the attendance of witnesses or production of records, files, and memoranda from any place in the state, at any designated place of hearing before the presiding officer, for the purpose of taking the testimony of such witness or inspection of documents. An application for the subpoena shall state the name and address of the witness for whom the subpoena is to be issued, and the time and place for the witness to appear.

(3) Any party or person against whom a subpoena is directed may file a motion to quash or limit the subpoena with the agency having jurisdiction of the dispute. The motion shall set forth the ground relied upon.

(4) A subpoena may be served by any person authorized by law to serve process or by any person who is not a party and who is of majority age. Service shall be made by delivering a copy thereof to the person named in the subpoena. Proof of service shall be made by affidavit of the person making service if service is not made by an officer authorized by law to do so.

(5) Service of a subpoena may also be effected by certified mail, in which case the return receipt must be signed by the person named in the subpoena.

RETURN OF SERVICE
AFFIDAVIT

B. Kenneth GATLIN 1709 Mahan Dr. Tallahassee, FL.
Application SUBJECT TO BE SERVED Increase & Change in Service Availability Charges for
CHANGE - Osceola Utilities, Inc. in Osceola County & in Bradford County, Crawford, Charlotte
Citrus, Clay, Collier, Duval, Highlands, Lake Lee, Marion, Nassau, Orange, Osceola, Pasco, Polk, Putnam,
St. Johns
PLAINTIFF - PETITIONER Sami St. Louis, Dolores Washington DEFENDANT - RESPONDENT

The Florida Public Service Commission COURT 95-0495 CASE # April 22, 1996 COURT DATE

Subpoena for Deposition TYPE OF WRIT 024 CPS ID# Willie Reams SERVER

Received this writ on the 17th day of April, 1996, and served the same at 11:25 o'clock A.M. on the 17th day of April, 1996, in Leon County, Florida as follows:

INDIVIDUAL: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me, to: _____

GOVERNMENT AGENCY, OFFICIAL ASSOCIATION, or PARTNERSHIP: By delivering a true copy of the original thereof with date and hour of thereon to which was attached a copy of the Plaintiff's pleading to: MARJ Anne Thornton as Secretary of the within named Defendant to wit: B. Kenneth GATLIN

CORPORATION: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me:

To: _____ as _____ of the within named corporation in the absence of any higher ranking officer as defined in F.S. 48.081 (1).
To: _____ as registered agent of the within named corporation according to F.S. 48.081 (3).
To: _____ as an employee of the within named corporation at said corporation's place of business because service could not be made on the registered agent for failure to comply with F.S. 48.091.

SECRETARY OF THE STATE OR INSURANCE COMMISSIONER: By delivering a true copy of this writ with the date and hour of service thereon, together with a copy of the pleadings as furnished by the Plaintiff, to _____ of the State of Florida, as the designated agent to accept service of process for and on behalf of the within named Defendant, _____ and at the same time delivering into the hands of the said Secretary of State in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 48.161 or Insurance Commissioner in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 624.502.

NOT FOUND: By returning said writ unserved for the reason that after diligent search and inquiry the named person to wit _____ could not be found in _____ County, Florida.

I CERTIFY that at the time of service, I placed on the face of that process my printed name, signature, identification number, a statement that I am a certified process server in the Second Judicial Circuit of Florida, and that I endorsed on that original process and all copies served, the date and hour of service.

Service Fee: \$ 20.00 Advanced Investigations of Tallahassee, Inc. Fee Tendered: _____
231 Lafayette Circle, Tallahassee, FL 32303 (Witness, etc.)
Additional Time: _____ Willie R. Reams #024 (904) 222-1998
Additional Mileage: _____ Willie R. Reams
Certified Process Server/Second Judicial Circuit/Florida/County

Status: Paid A/R _____

Attorney or Firm: Rethledge Elenia
(Roxanne)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Docket No. 950495-WS -)
Application for rate increase and)
increase in service availability)
charges for Orange-Osceola Util-)
ities, Inc. in Osceola County, and)
in Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval, High)
lands, Lake, Lee, Marion, Martin,)
Nassau, Orange, Osceola, Pasco,)
Polk, Putnam, Seminole, St. Johns,)
St. Lucie, Volusia, and Washington)
Counties)

SUBPOENA FOR DEPOSITION

THE STATE OF FLORIDA

TO: B. Kenneth Gatlin, 1709 Mahan Drive, Tallahassee, Florida

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at 1709 Mahan Drive, in Tallahassee, Florida, on April 22, 1996, at 10:00 a.m., for the taking of your deposition in this action. If you fail to appear, you may be held in contempt.

YOU ARE SUBPOENAED to appear by the following attorneys and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

DATED on April 18, 1996.

Blanca S. Bayó

Blanca S. Bayó, Director
Records and Reporting
Florida Public Service Commission

ADVANCED INVESTIGATIONS OF TALLAHASSEE, INC.
SERVED William S. Hoffman 11:25 AM
BY: WILBUR B. JAMES, CERTIFIED PROCESS SERVER
SECOND JUDICIAL CIRCUIT-FLORIDA

(S E A L)

Kenneth A. Hoffman, William B.
Willingham, Brian P. Armstrong, and
Matthew Feil, Esq.
Attorneys for Southern States
Utilities, Inc.
1000 Color Place
Apopka, Florida 32703
Address

AUTHORITY:

Florida Statutes 120.58(1), (3)

(1) (b) An agency or its duly empowered presiding officer or a hearing officer has the power to swear witnesses and take their testimony under oath, to issue subpoenas upon the written request of any party or upon its own motion, and to effect discovery on the written request of any party by any means available to the courts and in the manner provided in the Florida Rules of Civil Procedure, including the imposition of sanctions, except contempt. . . .

(3) A party may seek enforcement of a subpoena, order directing discovery, or order imposing sanctions issued under the authority of this act by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while a subpoena is being challenged under subsection (2). The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

Rule 25-22.045, Florida Administrative Code

(1) When the proceeding is before the Commission or member thereof, subpoenas may be issued by the presiding officer or the Division of Records and Reporting on subpoena forms supplied by the Commission. When the proceeding is before a hearing officer of the Division of Administrative Hearings, subpoenas may be issued by the Hearing Officer.

(2) A party shall apply in writing for the issuance of subpoenas requiring the attendance of witnesses or production of records, files, and memoranda from any place in the state, at any designated place of hearing before the presiding officer, for the purpose of taking the testimony of such witness or inspection of documents. An application for the subpoena shall state the name and address of the witness for whom the subpoena is to be issued, and the time and place for the witness to appear.

(3) Any party or person against whom a subpoena is directed may file a motion to quash or limit the subpoena with the agency having jurisdiction of the dispute. The motion shall set forth the ground relied upon.

(4) A subpoena may be served by any person authorized by law to serve process or by any person who is not a party and who is of majority age. Service shall be made by delivering a copy thereof to the person named in the subpoena. Proof of service shall be made by affidavit of the person making service if service is not made by an officer authorized by law to do so.

(5) Service of a subpoena may also be effected by certified mail, in which case the return receipt must be signed by the person named in the subpoena.

RETURN OF SERVICE
AFFIDAVIT

Charles Hill, Dir. Div. of Water & Wastewater, F.P.S.C. 2540 Shumard Oak Blvd, Tallahassee
Application for Rate Increase & Increase in Service Availability Charges for Orange-Osceola Utilities,
Incl. in Osceola County, And in Bradford, Broward, Charlotte, Citrus, Clay, Collier, Duval, Highlands, Lake, Lee,
Manatee, Marion, Nassau, Orange, Osceola, Pasco, Polk, Putnam, Seminole, St. Johns, St. Lucia, Volusia & Washington
PLAINTIFF - PETITIONER DEFENDANT - RESPONDENT Counties

The Florida Public Service Commission COURT 95-0455 MS CASE # April 22, 1996 COURT DATE

Subpoena for Deposition TYPE OF WRIT 024 CPS ID# Willie Reams SERVER

Received this writ on the 19th day of April, 1996, and served the same at 11:46 o'clock A.M. on the 19th day of April, 1996, in Leon County, Florida as follows:

INDIVIDUAL: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me, to: _____

GOVERNMENT AGENCY, OFFICIAL ASSOCIATION, or PARTNERSHIP: By delivering a true copy of the original thereof with date and hour of thereon to which was attached a copy of the Plaintiff's pleading to: Pat Dunbar as Admin. Asst. of the within named Defendant to wit: Charles Hill

CORPORATION: By delivering a true copy of this writ, together with the initial pleading with the date and hour of service endorsed thereon by me:

To: _____ as _____ of the within named corporation in the absence of any higher ranking officer as defined in F.S. 48.081 (1).
To: _____ as registered agent of the within named corporation according to F.S. 48.081 (3).
To: _____ as an employee of the within named corporation at said corporation's place of business because service could not be made on the registered agent for failure to comply with F.S. 48.091.

SECRETARY OF THE STATE OR INSURANCE COMMISSIONER: By delivering a true copy of this writ with the date and hour of service thereon, together with a copy of the pleadings as furnished by the Plaintiff, to _____ of the State of Florida, as the designated agent to accept service of process for and on behalf of the within named Defendant, _____ and at the same time delivering into the hands of the said Secretary of State in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 48.161 or Insurance Commissioner in his above mentioned official capacity the sum of \$ _____ as provided by Florida Statutes 624.502.

NOT FOUND: By returning said writ unserved for the reason that after diligent search and inquiry the named person to wit _____ could not be found in _____ County, Florida.

I CERTIFY that at the time of service, I placed on the face of that process my printed name, signature, identification number, a statement that I am a certified process server in the Second Judicial Circuit of Florida, and that I endorsed on that original process and all copies served, the date and hour of service.

Service Fee: \$20.00 Advanced Investigations of Tallahassee, Inc. Fee Tendered: _____
231 Lafayette Circle, Tallahassee, FL 32303 (Witness, etc.)
Additional Time: _____ Willie R. Reams #024 (904) 222-1998

Additional Mileage: _____ Willie R. Reams
Certified Process Server/Second Judicial Circuit/Florida/County

Status: Paid A/R _____

Attorney or Firm: Kabledge, Elenia,
Roxanne,

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Docket No. 950495-WS -)
Application for rate increase and)
increase in service availability)
charges for Orange-Osceola Util-)
ities, Inc. in Osceola County, and)
in Bradford, Brevard, Charlotte,)
Citrus, Clay, Collier, Duval, High)
lands, Lake, Lee, Marion, Martin,)
Nassau, Orange, Osceola, Pasco,)
Polk, Putnam, Seminole, St. Johns,)
St. Lucie, Volusia, and Washington)
Counties)

SUBPOENA FOR DEPOSITION

THE STATE OF FLORIDA

TO: Charles Hill, Director, Division of Water and Wastewater,
Florida Public Service Commission, 2540 Shumard Oak Blvd.,
Tallahassee, Florida

YOU ARE COMMANDED to appear before a person authorized by law to take depositions in Room 362 of the Gunter Building at 2540 Shumard Oak Blvd., in Tallahassee, Florida, on April 22, 1996, at 2:00 p.m., for the taking of your deposition in this action. If you fail to appear, you may be held in contempt.

YOU ARE SUBPOENAED to appear by the following attorneys and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

DATED on April 18, 1996.

ADVANCED INVESTIGATIONS OF TALLAHASSEE, INC.
SERVED April 19, 96 11:46 AM
Willie R. Beams

BY: WILLIE R. BEAMS, CERTIFIED PROCESS SERVER
SECOND JUDICIAL CIRCUIT-FLOR DA # 24

Blanca S. Bayó

Blanca S. Bayó, Director
Records and Reporting
Florida Public Service Commission

(S E A L)

Kenneth A. Hoffman, William B.
Willingham, Brian P. Armstrong, and
Matthew Feil, Esq.
Attorneys for Southern States
Utilities, Inc.
1000 Color Place
Apopka, Florida 32703
Address

AUTHORITY:

Florida Statutes 120.58(1), (3)

(1)(b) An agency or its duly empowered presiding officer or a hearing officer has the power to swear witnesses and take their testimony under oath, to issue subpoenas upon the written request of any party or upon its own motion, and to effect discovery on the written request of any party by any means available to the courts and in the manner provided in the Florida Rules of Civil Procedure, including the imposition of sanctions, except contempt. . . .

(3) A party may seek enforcement of a subpoena, order directing discovery, or order imposing sanctions issued under the authority of this act by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while a subpoena is being challenged under subsection (2). The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

Rule 25-22.045, Florida Administrative Code

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(5) Service of a subpoena may also be effected by certified mail, in which case the return receipt must be signed by the person named in the subpoena.

*Pat Dunbar
Ad Assn 8682-A*