

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for Increase in)
rates and service)
availability charges in Lee)
County by Gulf Utility Company.)
_____)

Docket No. 960329-WS
Filed: February 24, 1997

U.I.L.
FILE COPY

MOTION TO EXPEDITE RESPONSE TO DISCOVERY

The Citizens of the State of Florida (Citizens), by and through their undersigned attorney, move the Commission to order Gulf Utility Company (Gulf, Utility or Company) to provide Citizens' Document Request No. 49 on or before Thursday, February 27, 1997, the date discovery is to be completed in this docket. As grounds therefore the Citizens state:

1. Pursuant to the requirements of Commission Rule 25-22.034, F A C , and Rule 1.350, Fla. R. Civ. Procedure, Gulf would normally have thirty (30) days in which to provide Citizens' Document Request No. 49.

2. However, Rule 1.350, Fla. R. Civ. Procedure, permits the Court or tribunal in its discretion to allow a shorter or long time to provide requested documents.

3. In the instant case, Gulf witness Mr. Moore provided rebuttal testimony relying upon an annual survey of the nine companies that operate in Lee County. Although witness Moore draws a number of conclusions from the 1996 salary survey, conducted by Pine Island Water Company, he only attached a single page exhibit, JWM-6, summarizing data taken from the survey. The Citizens believe it is important to have a complete copy of the survey available to test the validity of Mr. Moore's conclusions.

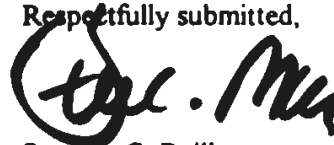
4. The report that the Citizens seek is in the possession of Gulf and a copy can be provided by Thursday, February 27, 1997, without undue hardship.

DOCUMENT NUMBER DATE
02064 FEB 24 97
FPSC-RECORDS/REPORTING

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WHEREFORE, the Citizens respectfully request the Commission to order Gulf to provide the Citizens with a complete copy of the 1996 salary survey referred to in Mr Moore's rebuttal testimony, Citizens' Document Request No. 49, on or before Thursday, February 27, 1997

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen C. Reilly". The signature is written in a cursive style with a large initial "S" and "C".

Stephen C. Reilly
Associate Public Counsel

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Attorney for the Citizens
of the State of Florida

**CERTIFICATE OF SERVICE
DOCKET NO. 960329-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 24th day of February, 1997.

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Stephen C. Reilly
Associate Public Counsel