



ORIGINAL

November 13, 1998

by Federal Express

98 NOV -6 11:10 CT
MAIL ROOM

Ms. Blanca Bayo
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 970657-WS; Application for certificates to operate a water and wastewater utility in Charlotte and DeSoto Counties by Lake Suzy Utilities, Inc.

Docket No. 980261-WS; Application for Amendment of Certificate Nos. 570-W and 496-S in Charlotte County by Florida Water Services Corporation.

Dear Ms. Bayo:

Enclosed for filing in the above-referenced consolidated dockets, please find an original and fifteen copies of the Notice of Taking Deposition Duces Tecum for Dallas A. Shepard. Please acknowledge filing of these items by date stamping the enclosed extra copy of this letter and returning it in the postage paid envelope provided.

If you have any questions, please contact me at (407) 880-0058, ext. 260.

Sincerely yours,

Matthew J. Feil
Staff Attorney

Enclosures

- ACK
- AFA
- APP
- CAF
- CMU
- CTR
- EAG
- LEG
- LIN
- OPC
- RCH
- SEC
- WAS
- OTH

DOCUMENT NUMBER-DATE

12818 NOV 16 98

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In. Re: Application for)
and certificates to operate a)
water and wastewater utility)
in Charlotte and DeSoto Counties)
by Lake Suzy Utilities, Inc.)
_____)

Docket No. 970657-WS

and

In Re: Application for)
Amendment of Certificate Nos.)
570-W and 496-S in Charlotte)
County by Florida Water Services)
Corporation.)
_____)

Docket No. 980261-WS

NOTICE OF TAKING DEPOSITION DUCES TECUM

TO: DALLAS A. SHEPARD, President
Lake Suzy Utilities, Inc.
12408 SW Sheri Street
Lake Suzy, Florida 33821

PLEASE TAKE NOTICE that on the **19th day of November, 1998**, at the hour of **2:30 p.m.**, at **Florida Water Services Corporation**, counsel for Florida Water Services Corporation will take the deposition of **DALLAS SHEPHERD**, at 1000 Color Place, Apopka, FL 32703. The deponent is to have with him the following items at the time and place indicated above:

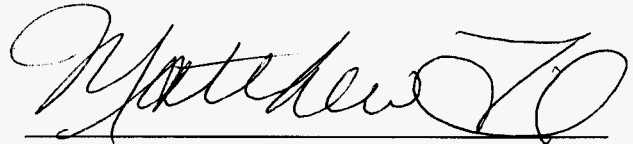
SEE ATTACHED EXHIBIT "A."

The deponent will appear upon oral examination, before an Official Court Reporter, a Notary Public in and for the State of Florida or some other officer duly authorized by law to take depositions in the State of Florida. The oral examination will continue from day to day pursuant to adjournments, if any, until completed. The deposition is being taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the applicable and governing rules. Further Definitions and Instructions for this Notice are attached hereto as Exhibit "B."

DATED this 13th day of November, 1998.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via Federal Express to Marty Friedman, Rose, Sundstrom & Bentley, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301; John Marks, Knowles, Marks & Randolph, 215 South Monroe Street, Tallahassee, Florida 32301; and Bobbie Reyes, Florida Public Service Commission, Legal Division, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850; and Via U.S. Mail to Charlotte L. Sopha, Haus Development, Inc., Post Office Box 3024, Port Charlotte, Florida 33949 on this 13th day of November, 1998.

A handwritten signature in black ink, appearing to read "Matthew J. Feil", written over a horizontal line.

MATTHEW J. FEIL, ESQUIRE
Florida Bar Number: 822744
Florida Water Services Corporation
1000 Color Place
Apopka, Florida 32703
407/880-0058
Facsimile: 407/880-1395

EXHIBIT "A"
DOCUMENTS TO BE PRODUCED

Information Request

1. 1997 Annual Report
2. Year-to-date Balance Sheet and Income Statements through September 1998. (If not available through September 1998, then most current month available.)
3. 1997 Tax Returns for Lake Suzy Utilities, Inc.
4. Dallas Shephard's personal tax returns (unless Lake Suzy Utilities, Inc. stipulates that its operations will not be supported by Mr. Shephard's net worth.)
5. All documents supporting related party advances of \$345,000 referenced in Lake Suzy Utilities, Inc.'s last rate order and the \$227,812 referenced in the 1996 annual report as a source of capital.
6. Copies of developer agreements.
7. All documents supporting all advances for construction.

EXHIBIT "B"
Definitions and Instructions

When relevant or when used in the following schedule, refer to the following definitions or instructions:

"Document" means any written or graphic matter or other means of preserving thought or expression, and all tangible things from which information can be processed or transcribed, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copy or otherwise, including, but not limited to, correspondence, memoranda, notes, messages, or other communications, inter-office and intra-office telephone calls, diaries, chronological data, minutes, books, reports, computer print-outs, prospectuses, financial statements, schedules, affidavits, contracts, canceled checks, transcripts, statistics, surveys, magazine or newspaper articles, releases (any and all drafts, alterations and modifications, changes and amendments of any of the foregoing), graphs and aural records or representations of any kind, including without limitations, photographs, charts, graphs, microfiche, microfilm, videotape, recordings, motion pictures and electronic mechanical or electric recordings or representations of any kind (including, without limitations, tapes, cassettes, discs and recordings), and including the file and file cover.

The term "all documents" means every document or group of documents for communication as above defined known to you and every such document or communication, which can be located or discovered by reasonably diligent efforts.

The term "you" and "your" means the party to whom these document requests are addressed, including the party's employees and agents and all other persons acting or purporting to act on the party's behalf.

As used herein, the singular and masculine forms of noun and pronouns shall embrace, and be read and applied as, the plural or feminine or neuter, as circumstances may make appropriate.

Any document as to which a claim of privilege is or will be asserted should be identified by author, signatory, description (e.g., letter, memorandum, telex, recording, etc.), title (if any), date, addresses (if any), general subject matter, present location and custodian and a complete statement of the ground for the claim of privilege should be set forth.

If you assert that any document which is requested has been destroyed, set forth the contents of the document, the date of such destruction and the name of the person who authorized or directed such destruction.

If any of the documents cannot be produced in full, produce to the extent possible, and specify the reason for your inability to produce the remainder.

As used herein, "work" refers to work performed, maintenance performed and materials supplied for use therewith.