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February 8, 1999

Ms. Blanca S. Bayó  
Director, Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Lake Utility Services, Inc. -- Docket No. 960444-WU

Dear Ms. Bayo:

Enclosed for filing on behalf of Lake Utility Services, Inc. are the original and fifteen copies of its Objections to Citizens Second Request For Production of Documents.

By copy of this letter, this document is being furnished to the parties on the attached service list.

Very truly yours,

*Richard D. Melson*

Richard D. Melson

- ACK \_\_\_\_\_
- AFA 1
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG RDM/kcg
- LEG Enclosures
- LIN 3
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- OTH \_\_\_\_\_

CC: Parties of Record

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FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for rate	)	
increase and for increase in	)	Docket No. 960444-WU
service availability charges in	)	
Lake County by Lake Utility	)	Filed: February 8, 1999
Services, Inc.	)	
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LAKE UTILITY SERVICES, INC.'S OBJECTIONS TO  
CITIZENS SECOND REQUEST FOR PRODUCTION OF DOCUMENTS

Lake Utility Services, Inc. (LUSI) hereby files its objections to the Citizens' Second Request for Production of Documents served on January 29, 1999.

SPECIFIC OBJECTIONS

1. LUSI objects to the request to produce all documents on or before Thursday, February 11, 1999. The first order on procedure in this docket was issued on June 16, 1997. Neither that order, nor any of the subsequent procedural orders, did anything to shorten the normal 30 day time frame allowed to respond to requests for production. The Office of Public Counsel (OPC) has made no formal request for expedited discovery. Further, LUSI does not understand how such a request could legitimately be made when the discovery requests were first served over 18 months after the discovery period opened. Subject to the objections set forth below, LUSI will produce responsive documents on March 1, 1999, thirty days after the date of service of OPC's request.

2. LUSI objects to Request Nos. 1 and 2 to the extent that they call for production of tax returns and related documents for the years 1996, 1997 and 1998 on the grounds that such documents are not relevant to the subject matter of this case, and are not reasonably designed to lead to the discovery of admissible evidence. Under the scope of issues defined by the protests and orders in this docket, a challenge to the use of the 1995 test year is not properly before the Commission at this time. Information regarding taxes in years subsequent to the 1995 test year therefore is not relevant to any of the matters that are at issue.

3. LUSI objects to Requests No. 1 and 2 to the extent that they call for production in Tallahassee of all supporting documents, workpapers and consolidating schedules for the consolidated tax return of which LUSI is a part on the grounds that these requests are overly broad and unduly burdensome. Interpreted literally, these requests would encompass all accounting records for the periods in question for all members of the consolidated group. Notwithstanding this objection, LUSI will make responsive documents which would normally be thought of as supporting workpapers for the tax returns available for inspection at Utilities, Inc.'s offices in Northbrook, Illinois on and after March 1, 1999, which is 30 days from the date of OPC's request.

4. LUSI also objects to Requests No. 1 and 2 to the extent they call for LUSI to make the tax returns available for copying in addition to inspection. The tax returns contain confidential business information of LUSI's parent and other members of the consolidated group which is not relevant to this proceeding. LUSI is willing to work with Public Counsel to accommodate requests for copying of specific portions of the returns which Public Counsel identifies as relevant to this proceeding, but LUSI objects to wholesale copying of these returns.

RESPECTFULLY SUBMITTED this 8th day of February, 1999.

HOPPING GREEN SAMS & SMITH, P.A.

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Attorneys for Lake Utility  
Services, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following by hand delivery this 8th day of February, 1999.

Tim Vaccaro  
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*Tim D. Ross*

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Attorney