

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for)
certificates to operate a water)
and wastewater utility in) DOCKET NO. 970657-WS
Charlotte and DeSoto Counties)
by Lake Suzy Utilities, Inc.)
_____)

In Re: Application for)
Amendment of Certificate Nos.)
570-W and 496-S in Charlotte) DOCKET NO. 980261-WS
County by Florida Water Services)
Corporation.)
_____)

LAKE SUZY UTILITIES, INC.'S
MOTION FOR PROTECTIVE ORDER

LAKE SUZY UTILITIES, INC. ("Lake Suzy"), by and through its undersigned attorneys, files this Motion for Protective Order with regard to the Notice of Taking Deposition of a corporate representative filed by Florida Water Service Corporation ("FWSC") and in support thereof states:

1. FWSC noticed the taking of the deposition of a corporate representative of Lake Suzy as to Lake Suzy's corporate parent's "acquisition plans, strategies, criteria, evaluation process, impact analysis, projected or budgeted capital improvements, and regulatory acquisition adjustment philosophies, plans and policies for operations in the State of Florida".

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2. None of these areas of inquiry have any relevancy to the instant proceeding, nor are they calculated to lead to the discovery of admissible evidence. Further, most of the areas of inquiry would involve the disclosure of proprietary confidential business information to a direct competitor of AquaSource Utilities, Inc. The Commission should not sanction the use of this proceeding for such an illegitimate purpose.

3. The only possible area of legitimate inquiry would be the projected or budgeted capital improvements as it relates to Lake Suzy. And as to this issue, FWSC in its First Request for Production of Documents, requested this information to which Lake Suzy has responded that no such budgets have been prepared. Thus, there are no budgets about which to question a witness.

WHEREFORE, Lake Suzy requests this Commission to enter an Order that Lake Suzy need not produce a witness in response to FWSC's Notice of Taking Deposition of a corporate representative.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Expedite Hearing has been furnished by U.S. Mail to Matthew J. Feil, Esquire, Florida Water Services Corporation, P.O. Box 609520, Orlando, Florida 32860-9520, Ms. Charlotte L. Sopko, Haus Development, Inc., 603 North Eastwood Avenue, Mount Prospect, Illinois 60056-2007, John Marks, Esquire, Knowles, Marks & Randolph, 215 South Monroe Street, Tallahassee, Florida 32301, Anthony P. Pires, Jr., Woodward, Pires & Lombardo, P.A., 801

Laurel Oak Drive, Suite 710, Naples, Florida 34108 and by hand delivery to Tim Vaccaro, Esquire, Florida Public Service Commission, Legal Division, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 this 14th day of January, 2000.

Respectfully submitted this 14th day of January, 2000, by:

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