

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications For An Amendment)
Of Certificate For An Extension)
Of Territory And For an Original)
Water And Wastewater Certificate)
(for a utility in existence and charging)
for service))

Docket No. 992040-WS

In re: Application by Nocatee Utility)
Corporation for Original Certificates for)
Water & Wastewater Service in Duval)
and St. Johns Counties, Florida)

Docket No. 990696-WS

INTERCOASTAL UTILITIES, INC.'S MOTION TO COMPEL
RESPONSES TO INTERCOASTAL'S REQUEST FOR
PRODUCTION OF DOCUMENTS

Intercoastal Utilities, Inc., pursuant to Rule 28-106.206, Fla. Admin. Code, by and through undersigned counsel, hereby files this Motion To Compel Responses To Intercoastal's Request For Production Of Documents, and would state as follows:

1. Intercoastal, on January 25, 2000, served a First Request For Production to DDI and to Nocatee Utility Corporation ("NUC") in Docket No. 992040-WS. Intercoastal on that date also served a Second Request For Production Of Documents to NUC. These dockets were thereafter consolidated by Order dated February 2, 2000.

2. A true and accurate copy of the Requests For Production here at issue are attached hereto.

3. Since all three Requests For Production Of Documents are directed to related entities (hereafter referred to as "related parties") and in related cases, and

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LEG 1 _____
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since those related parties filed only a single response, each of the objections will be addressed as stated in that single response.

4. The related parties general objections speak to the production of documents previously produced by one of the related parties. No documents have been previously produced to Intercoastal in Docket No. 992040-WS. The situation is obviously changed since the documents were produced in the Fall of 1999. All documents responsive to the Request For Production, which comprise discovery authorized by the applicable Florida Rules of Civil Procedure and which are reasonably calculated to lead to the discovery of admissible evidence, should be produced pursuant to the Civil Rules.

5. REQUEST NO. 1: The related parties object to this request on the grounds that it calls for documents "which NUC and DDI are not required to produce at this time under Commission practice ..." There is no "Commission practice" other than the discovery procedures authorized under the Uniform Rules and the applicable Florida Rules of Civil Procedure, as incorporated therein. Any policy of general applicability not embodied in a rule would, in fact, be unlawful under the Florida Administrative Procedure Act. The Florida Rules of Civil Procedure, as made applicable to this proceeding by Rule 28-106.206, Fla. Admin. Code, do not provide some nebulous exception for discovery based upon the fact that the Administrative Law Judge has directed that exhibits will be exchanged on a future date (which occurs in almost every administrative case). If the related parties have any documents responsive to the request, they should be produced.

6. REQUEST NO. 2: The related parties do not contend that the information sought is not relevant and that the request which would result in the production of the information is not reasonably calculated to lead to the discovery of admissible evidence. Neither does the objection does not rely upon any specified privilege in Florida law which would protect the information from discovery. Additionally, certain protections may be afforded the related parties by and through the operation of Rule 25-22.006, Fla. Admin. Code.

The information does not constitute a trade secret under Florida law. In point of fact, NUC's only objection to disclosing the information is the allegation that disclosure could impair the utility's ability to obtain bulk service "on the most advantageous terms." The very objection points to the relevancy and importance of the information, i.e., that this applicant has apparently not finalized (at this time) its negotiations with the bulk supplier who will purportedly render the service to the Nocatee development.

The procedure suggested by Intercoastal would be that the documents be examined, in camera, by the prehearing officer and the parties such that an expedited determination on the confidentiality of these documents may be made.

7. REQUEST NO. 6: A bare objection of "over-broad" is not an adequate objection to this request. What is "over-broad" in this case? Are there ten documents? Are there forty documents? Is there a banker's box full of documents? Since the response to the request indicates that many of the documents which fall thereunder will be produced in response to other requests, the question is begged,

what other documents are being withheld under the objection to Request For Production No. 6?

8. REQUEST NO. 10: The related parties do not contend that the information sought is not relevant and that the request which would result in the production of the information is not reasonably calculated to lead to the discovery of admissible evidence. Neither does the objection does not rely upon any specified privilege in Florida law which would protect the information from discovery. Additionally, certain protections may be afforded the related parties by and through the operation of Rule 25-22.006, Fla. Admin. Code.

The information does not constitute a trade secret under Florida law. In point of fact, NUC's only objection to disclosing the information is the allegation that disclosure could impair the utility's ability to obtain bulk service "on the most advantageous terms." The very objection points to the relevancy and importance of the information, i.e., that this applicant has apparently not finalized (at this time) its negotiations with the bulk supplier who will purportedly render the service to the Nocatee development.

The procedure suggested by Intercoastal would be that the documents be examined, in camera, by the prehearing officer and the parties such that an expedited determination on the confidentiality of these documents may be made.

9. REQUEST NO. 23: It is notable that this is the only Request For Production on which the related parties objected on the basis of relevancy or suggested that the Request For Production was not reasonably calculated to lead to the discovery of

admissible evidence. In point of fact, one would imagine that such documents would not be abundant and could be easily produced. There is no claim that such documents contain confidential or sensitive information.

10. REQUEST NO. 28: The related parties do not contend that the information sought is not relevant and that the request which would result in the production of the information is not reasonably calculated to lead to the discovery of admissible evidence. Neither does the objection does not rely upon any specified privilege in Florida law which would protect the information from discovery. Additionally, certain protections may be afforded the related parties by and through the operation of Rule 25-22.006, Fla. Admin. Code.

The information does not constitute a trade secret under Florida law. In point of fact, NUC's only objection to disclosing the information is the allegation that disclosure could impair the utility's ability to obtain bulk service "on the most advantageous terms." The very objection points to the relevancy and importance of the information, i.e., that this applicant has apparently not finalized (at this time) its negotiations with the bulk supplier who will purportedly render the service to the Nocatee development.

The procedure suggested by Intercoastal would be that the documents be examined, in camera, by the prehearing officer and the parties such that an expedited determination on the confidentiality of these documents may be made.

11. Nocatee has not made any objections, other than the objection to Request For Production No. 23, based on the traditional, accepted, and proper grounds for

objecting to discovery. There is no contention in NUC's specific objection that Request For Production Nos. 1, 2, 6, 10 or 28 are not reasonably calculated to lead to the discovery of admissible evidence.

WHEREFORE, and in consideration of the above, Intercoastal requests that the Commission grant this Motion To Compel and direct the related parties to produce the documents forthwith.

DATED this 11th day of February, 2000.



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F. MARSHALL DETERDING
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301
(850) 877-6555

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished by the method indicated below to the following on this 11th day of February, 2000.

Richard D. Melson, Esq.
Hopping, Green, Sams & Smith, P.A.
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Via Hand-Delivery

Samantha Cibula, Esq.
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Florida Public Service Commission
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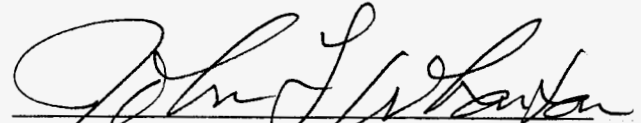
Via U.S. Mail

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Michael J. Korn, Esq.
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6620 Southpoint Drive S.
Jacksonville, FL 32216

Via U.S. Mail



John L. Wharton, Esq.
F. Marshall Deterding, Esq.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications For An Amendment)
Of Certificate For An Extension)
Of Territory And For an Original)
Water And Wastewater Certificate)
(for a utility in existence and charging)
for service))
_____)

Docket No. 992040-WS

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RECORDS AND REPORTING

INTERCOASTAL UTILITIES, INC.'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO NOCATEE UTILITY CORPORATION

Intercoastal Utilities, Inc. requests pursuant to Rule 28-106.206, Fla. Admin. Code, that Nocatee Utility Corporation produce the documents described below for inspection and/or copying within thirty (30) days at such place as may be agreed upon between the respective parties, or in default thereof, specified by order of the Commission.

DEFINITIONS AND INSTRUCTIONS

1. "Nocatee," "you" or "your" refer to Nocatee Utility Corporation, its parent, affiliated parties, its employees, agents, engineers, accountants, or attorneys.
2. "Document" and "documents" refer to any written, printed, graphic, digital, aural, or photographic means of recording or preserving thought, expression, information, data, or images. This shall include all papers or other tangible things from which such information can be read, processed, or transcribed; graphic, schematic, and cartographic representations; film, video, digital, or still photographic images or reproductions (including aerial, satellite, infrared and computer-generated images); and any other information which is stored or processed by means of computer or data processing equipment and can be retrieved in printed or graphic form. The word

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"document" includes the plural as well as the singular and shall mean all originals (including an original by means of a marginal notation) and copies or reproduction of originals (whether handwritten, printed, photocopied, or otherwise recorded) if the original is unavailable.

3. All terms not defined in this request and not having ordinary, nontechnical definitions are used in accordance with their meanings in the Florida Rules of Civil Procedure, Florida Statutes, and Florida Administrative Code.

4. If any document called for in this request is withheld on the basis of any privilege, statute, regulation, or for any other reason, you shall include in their response a list of such documents by type of document, date, the name and address of the actual and intended recipients of the document or copies thereof, author, title, summary of description of subject matter, and the location of any existing copies of such document. You must also state the grounds upon which each such document is considered privileged or upon which production is withheld, including the specific privilege, statute or regulation relied upon.

DOCUMENTS AND OTHER THINGS TO BE PRODUCED

1. Please provide copies of all documents, reports, compilations of data, exhibits, summaries, analyses and treatises which you expect to offer into evidence or rely upon at the final hearing in this proceeding.

2. Any and all correspondence, analyses, memorandums, or similar or analogous documents either transmitted to JEA or received from JEA regarding the

possible or potential service by JEA (whether as a bulk, wholesale, or retail provider) to any of that area for which you have filed an application at the Public Service Commission. Your response should include, but should not be limited to, documents to or from JEA whether JEA intends to provide bulk service to a separate utility which will provide service to any of these areas or whether JEA will provide such service directly itself.

3. Any and all reports, analyses, memorandums, or similar or analogous documents referencing, discussing, analyzing, setting forth, establishing, or projecting the need or demand for reuse water in any of that area for which you have filed an application at the Public Service Commission. Your response should include, but not be limited to, documents discussing the timing or time frames regarding the demand for such reuse water.

4. Any and all documents describing, analyzing, setting forth, establishing, projecting, or discussing the demand for water and/or wastewater service in those areas for which you have filed an application at the Public Service Commission. Your response should include, but not be limited to, documents discussing the number of units projected to be built or potentially to be built; the timing of any units projected to be built or potentially to be built; the type (commercial, residential, etc.) of units projected to be built or potentially to be built; and the location or layout of any such units projected to be built or potentially to be built.

5. Please provide any documents which set forth, project, analyze, reference, discuss, or establish the location of any facilities for the provision of water service,

wastewater service, or reuse service, by any utility within any portion of those areas for which you have filed an application at the Public Service Commission.

6. Please provide any documents which support, reference, discuss, or analyze any of the information, statements, or contentions contained in either your application to the Florida Public Service Commission or your Petition for Temporary Variance filed before the Public Service Commission.

7. Please provide any documents you reference, consulted or relied upon in filing either your application at the Public Service commission or your Petition for Temporary Variance before the Public Service Commission.

8. Please provide any documents which set forth, reveal, analyze, reference or contain timetables for the construction of units or facilities which will require water, wastewater, or reuse service or which set forth the anticipated time frames for the construction of any such units in the area which is the subject of your application with the Public Service Commission.

9. Please provide any correspondence, writings, memorandums, or similar or analogous documents exchanged between yourself and St. Johns County discussing, referencing, analyzing, or concerning the provision of water service, wastewater service, or reuse service for the area which is the subject of your application before the Public Service Commission.

10. Please provide any documents analyzing, concerning, referencing, or discussing available or potentially available alternatives for the provision of water service, wastewater service, or reuse service (by any water or wastewater utility) to

those areas which are the subject of your application before the Florida Public Service Commission.

11. Please provide any and all documents, writings, memorandums, applications, or similar analogous documents provided to, or received from, any governmental entity or agency regarding the permitting, licensure, approval, or certification of either the Nocatee development itself or the Nocatee Utility Corporation. Your response should include, but not be limited to, any documents filed to obtain approvals necessary from governmental entities having jurisdiction over the development of property referred to as Nocatee (such as documents related to the proposed Development of Regional Impact).

12. Please provide any study, analysis, memorandum, report, or similar or analogous document evaluating, studying, determining, reviewing, or discussing reuse water, and wastewater demand for Phase I of the Nocatee project.

13. Please provide any study, analysis, memorandum, report, or similar or analogous document evaluating, studying, determining, reviewing, or discussing projected flows for build-out for the Nocatee project both in terms of potable water demand, wastewater generation, and reuse demand.

14. Please provide the water supply development plan and the Comprehensive Water Modeling Plan developed by CH2M Hill as referenced by DDI's witnesses in the Intercoastal/St. Johns County extension case.

15. Please supply any document, analysis, report, memorandum, or similar or analogous document which either constitutes a water resource plan based on projected

reuse. Your response should include, but not be limited to, documents which discuss each of the above-referenced categories with regard to residential, commercial, industrial, green spaces, golf courses, and other potential users or application areas.

23. Please provide documents which discuss, reference, concern, project or calculate projected impervious areas; retention areas (both in terms of acres and capacities); run-off volumes and rates; major drainage paths; drainage area outlets; and any maps, schematics or plans which reveal any of the above-referenced information.

24. Please provide a copy of any Duval and St. Johns County Comprehensive Plan amendments, projected plan amendments, or documents discussing or referencing any such plan amendments.

25. Please provide any copy of the Nocatee Groundwater Development Plan.

26. Please provide documents revealing, discussing, referencing, explaining, or setting forth the location of any proposed water, wastewater, or reuse utilities (including, but not limited to, treatment facilities, mains, points of delivery from bulk providers, and appurtenant and related facilities) for any portion of the Nocatee development.

DATED this 29th day of January, 2000.


JOHN L. WHARTON, ESQ.
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications For An Amendment)
Of Certificate For An Extension)
Of Territory And For an Original)
Water And Wastewater Certificate)
(for a utility in existence and charging)
for service))
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Docket No. 992046-WS

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RECORDS AND REPORTING

INTERCOASTAL UTILITIES, INC.'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DDI, INC. AND ESTUARY CORPORATION

Intercoastal Utilities, Inc. requests pursuant to Rule 28-106.206, Fla. Admin. Code, that DDI, Inc. and Estuary Corporation (collectively "DDI") produce the documents described below for inspection and/or copying within thirty (30) days at such place as may be agreed upon between the respective parties, or in default thereof, specified by order of the Commission.

DEFINITIONS AND INSTRUCTIONS

1. "DDI," "you" or "your" refer to DDI, Inc. and Estuary Corporation, its parent, affiliated parties, its employees, agents, engineers, accountants, or attorneys.
2. "Document" and "documents" refer to any written, printed, graphic, digital, aural, or photographic means of recording or preserving thought, expression, information, data, or images. This shall include all papers or other tangible things from which such information can be read, processed, or transcribed; graphic, schematic, and cartographic representations; film, video, digital, or still photographic images or reproductions (including aerial, satellite, infrared and computer-generated images); and any other information which is stored or processed by means of computer or data processing equipment and can be retrieved in printed or graphic form. The word

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"document" includes the plural as well as the singular and shall mean all originals (including an original by means of a marginal notation) and copies or reproduction of originals (whether handwritten, printed, photocopied, or otherwise recorded) if the original is unavailable.

3. All terms not defined in this request and not having ordinary, nontechnical definitions are used in accordance with their meanings in the Florida Rules of Civil Procedure, Florida Statutes, and Florida Administrative Code.

4. If any document called for in this request is withheld on the basis of any privilege, statute, regulation, or for any other reason, DDI shall include in their response a list of such documents by type of document, date, the name and address of the actual and intended recipients of the document or copies thereof, author, title, summary of description of subject matter, and the location of any existing copies of such document. DDI must also state the grounds upon which each such document is considered privileged or upon which production is withheld, including the specific privilege, statute or regulation relied upon.

DOCUMENTS AND OTHER THINGS TO BE PRODUCED

1. Please provide copies of all documents, reports, compilations of data, exhibits, summaries, analyses and treatises which you expect to offer into evidence or rely upon at the final hearing in this proceeding.

2. Any and all correspondence, analyses, memorandums, or similar or analogous documents either transmitted to JEA or received from JEA regarding the

possible or potential service by JEA (whether as a bulk, wholesale, or retail provider) to any of that area for which NUC has filed an application at the Public Service Commission. Your response should include, but should not be limited to, documents to or from JEA whether JEA intends to provide bulk service to a separate utility which will provide service to any of these areas or whether JEA will provide such service directly itself.

3. Any and all reports, analyses, memorandums, or similar or analogous documents referencing, discussing, analyzing, setting forth, establishing, or projecting the need or demand for reuse water in any of that area for which NUC has filed an application at the Public Service Commission. Your response should include, but not be limited to, documents discussing the timing or time frames regarding the demand for such reuse water.

4. Any and all documents describing, analyzing, setting forth, establishing, projecting, or discussing the demand for water and/or wastewater service in those areas for which NUC has filed an application at the Public Service Commission. Your response should include, but not be limited to, documents discussing the number of units projected to be built or potentially to be built; the timing of any units projected to be built or potentially to be built; the type (commercial, residential, etc.) of units projected to be built or potentially to be built; and the location or layout of any such units projected to be built or potentially to be built.

5. Please provide any documents which set forth, project, analyze, reference, discuss, or establish the location of any facilities for the provision of water service,

wastewater service, or reuse service, by any utility within any portion of those areas for which NUC has filed an application at the Public Service Commission.

6. Please provide any documents which support, reference, discuss, or analyze any of the information, statements, or contentions contained in either NUC's application to the Florida Public Service Commission or NUC's Petition for Temporary Variance filed before the Public Service Commission.

7. Please provide any documents NUC referenced, consulted or relied upon in filing either its application at the Public Service commission or its Petition for Temporary Variance before the Public Service Commission.

8. Please provide any documents which set forth, reveal, analyze, reference or contain timetables for the construction of units or facilities which will require water, wastewater, or reuse service or which set forth the anticipated time frames for the construction of any such units in the area which is the subject of NUC's application with the Public Service Commission.

9. Please provide any correspondence, writings, memorandums, or similar or analogous documents exchanged between yourself and St. Johns County discussing, referencing, analyzing, or concerning the provision of water service, wastewater service, or reuse service for the area which is the subject of NUC's application before the Public Service Commission.

10. Please provide any documents analyzing, concerning, referencing, or discussing available or potentially available alternatives for the provision of water service, wastewater service, or reuse service (by any water or wastewater utility) to

those areas which are the subject of NUC's application before the Florida Public Service Commission.

11. Please provide any and all documents, writings, memorandums, applications, or similar analogous documents provided to, or received from, any governmental entity or agency regarding the permitting, licensure, approval, or certification of either the Nocatee development itself or the Nocatee Utility Corporation. Your response should include, but not be limited to, any documents filed to obtain approvals necessary from governmental entities having jurisdiction over the development of property referred to as Nocatee (such as documents related to the proposed Development of Regional Impact).

12. Please provide any study, analysis, memorandum, report, or similar or analogous document evaluating, studying, determining, reviewing, or discussing reuse water, and wastewater demand for Phase I of the Nocatee project.

13. Please provide any study, analysis, memorandum, report, or similar or analogous document evaluating, studying, determining, reviewing, or discussing projected flows for build-out for the Nocatee project both in terms of potable water demand, wastewater generation, and reuse demand.

14. Please provide the water supply development plan and the Comprehensive Water Modeling Plan developed by CH2M Hill as referenced by DDI's witnesses in the Intercoastal/St. Johns County extension case.

15. Please supply any document, analysis, report, memorandum, or similar or analogous document which either constitutes a water resource plan based on projected

reuse. Your response should include, but not be limited to, documents which discuss each of the above-referenced categories with regard to residential, commercial, industrial, green spaces, golf courses, and other potential users or application areas.

23. Please provide documents which discuss, reference, concern, project or calculate projected impervious areas; retention areas (both in terms of acres and capacities); run-off volumes and rates; major drainage paths; drainage area outlets; and any maps, schematics or plans which reveal any of the above-referenced information.

24. Please provide a copy of any map from your ADA pre-application document.

25. Please provide a copy of any Duval and St. Johns County Comprehensive Plan amendments, projected plan amendments, or documents discussing or referencing any such plan amendments, whether submitted with your ADA pre-application document (page 25) or otherwise.

26. Please provide any copy of the Nocatee Groundwater Development Plan as referenced on page 28 of your ADA pre-application document.

27. Please provide documents revealing, discussing, referencing, explaining, or setting forth the location or proposed or anticipated location of any proposed water, wastewater, or reuse utilities (including, but not limited to, treatment facilities, mains, points of delivery from bulk providers, and appurtenant and related facilities) for any portion of the Nocatee development.

28. Please provide any documents discussing, referencing, analyzing, considering, or pertaining to the anticipated, potential, or expected water and/or wastewater service to any portion of the Nocatee development. Your response should include, but not be limited to, any documents pertaining to or relating to, referencing, discussing, analyzing, or comparing alternative utility providers and/or the provision of such utility service from alternative entities.

DATED this 25th day of January, 2000.


JOHN L. WHARTON, ESQ.
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301
(850) 877-6555

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished by the method indicated below to the following on this 25th day of January, 2000.

Richard D. Melson, Esq.
Hopping, Green, Sams & Smith, P.A.
P.O. Box 6526
Tallahassee, FL 32301

Via Hand Delivery

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application by Nocatee)
Utility Corporation for Original)
Certificates for Water & Wastewater)
Service in Duval and St. Johns)
Counties, Florida)

Docket No. 990696-W

RECORDS AND
REPORTING

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**INTERCOASTAL UTILITIES, INC.'S SECOND REQUEST FOR
PRODUCTION OF DOCUMENTS TO NOCATEE UTILITY CORPORATION**

Intercoastal Utilities, Inc. requests pursuant to Rule 28-106.206, Fla. Admin. Code, that Nocatee Utility Corporation produce the documents described below for inspection and/or copying within thirty (30) days at such place as may be agreed upon between the respective parties, or in default thereof, specified by order of the Commission.

DEFINITIONS AND INSTRUCTIONS

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2. "Document" and "documents" refer to any written, printed, graphic, digital, aural, or photographic means of recording or preserving thought, expression, information, data, or images. This shall include all papers or other tangible things from which such information can be read, processed, or transcribed; graphic, schematic, and cartographic representations; film, video, digital, or still photographic images or reproductions (including aerial, satellite, infrared and computer-generated images); and any other information which is stored or processed by means of computer or data

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processing equipment and can be retrieved in printed or graphic form. The word "document" includes the plural as well as the singular and shall mean all originals (including an original by means of a marginal notation) and copies or reproduction of originals (whether handwritten, printed, photocopied, or otherwise recorded) if the original is unavailable.

3. All terms not defined in this request and not having ordinary, nontechnical definitions are used in accordance with their meanings in the Florida Rules of Civil Procedure, Florida Statutes, and Florida Administrative Code.

4. If any document called for in this request is withheld on the basis of any privilege, statute, regulation, or for any other reason, the Petitioners shall include in their response a list of such documents by type of document, date, the name and address of the actual and intended recipients of the document or copies thereof, author, title, summary of description of subject matter, and the location of any existing copies of such document. Petitioners must also state the grounds upon which each such document is considered privileged or upon which production is withheld, including the specific privilege, statute or regulation relied upon.

DOCUMENTS AND OTHER THINGS TO BE PRODUCED

1. Please provide copies of all documents, reports, compilations of data, exhibits, summaries, analyses and treatises which you expect to offer into evidence or rely upon at the final hearing in this proceeding which was not produced pursuant

to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

2. Any and all correspondence, analyses, memorandums, or similar or analogous documents either transmitted to JEA or received from JEA regarding the possible or potential service by JEA (whether as a bulk, wholesale, or retail provider) to any of that area for which you have filed an application at the Public Service Commission which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation. Your response should include, but should not be limited to, documents to or from JEA whether JEA intends to provide bulk service to a separate utility which will provide service to any of these areas or whether JEA will provide such service directly itself.

3. Any and all reports, analyses, memorandums, or similar or analogous documents referencing, discussing, analyzing, setting forth, establishing, or projecting the need or demand for reuse water in any of that area for which you have filed an application at the Public Service Commission which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation. Your response should include, but not be limited to, documents discussing the timing or time frames regarding the demand for such reuse water.

4. Any and all documents describing, analyzing, setting forth, establishing, projecting, or discussing the demand for water and/or wastewater service in those areas for which you have filed an application at the Public Service Commission which was not produced pursuant to Intercoastal's First Request For Production Of

Documents to Nocatee Utility Corporation. Your response should include, but not be limited to, documents discussing the number of units projected to be built or potentially to be built; the timing of any units projected to be built or potentially to be built; the type (commercial, residential, etc.) of units projected to be built or potentially to be built; and the location or layout of any such units projected to be built or potentially to be built.

5. Please provide any documents which set forth, project, analyze, reference, discuss, or establish the location of any facilities for the provision of water service, wastewater service, or reuse service, by any utility within any portion of those areas for which you have filed an application at the Public Service Commission which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

6. Please provide any documents which support, reference, discuss, or analyze any of the information, statements, or contentions contained in either your application to the Florida Public Service Commission or your Petition for Temporary Variance filed before the Public Service Commission which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

7. Please provide any documents you reference, consulted or relied upon in filing either your application at the Public Service commission or your Petition for Temporary Variance before the Public Service commission which was not produced

pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

8. Please provide any documents which set forth, reveal, analyze, reference or contain timetables for the construction of units or facilities which will require water, wastewater, or reuse service or which set forth the anticipated time frames for the construction of any such units in the area which is the subject of your application with the Public Service Commission which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

9. Please provide any correspondence, writings, memorandums, or similar or analogous documents exchanged between yourself and St. Johns County discussing, referencing, analyzing, or concerning the provision of water service, wastewater service, or reuse service for the area which is the subject of your application before the Public Service Commission which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

10. Please provide any documents analyzing, concerning, referencing, or discussing available or potentially available alternatives for the provision of water service, wastewater service, or reuse service (by any water or wastewater utility) to those areas which are the subject of your application before the Florida Public Service Commission which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

11. Please provide any and all documents, writings, memorandums, applications, or similar analogous documents provided to, or received from, any

governmental entity or agency regarding the permitting, licensure, approval, or certification of either the Nocatee development itself or the Nocatee Utility Corporation which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation. Your response should include, but not be limited to, any documents filed to obtain approvals necessary from governmental entities having jurisdiction over the development of property referred to as Nocatee (such as documents related to the proposed Development of Regional Impact).

12. Please provide any study, analysis, memorandum, report, or similar or analogous document evaluating, studying, determining, reviewing, or discussing reuse water, and wastewater demand for Phase I of the Nocatee project which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

13. Please provide any study, analysis, memorandum, report, or similar or analogous document evaluating, studying, determining, reviewing, or discussing projected flows for build-out for the Nocatee project both in terms of potable water demand, wastewater generation, and reuse demand which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

14. Please provide the water supply development plan and the Comprehensive Water Modeling Plan developed by CH2M Hill as referenced by DDI's witnesses in the Intercoastal/St. Johns County extension case which was not produced pursuant to

Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

15. Please supply any document, analysis, report, memorandum, or similar or analogous document which either constitutes a water resource plan based on projected water needs for Nocatee on a phase-by-phase basis from Phase I out through Phase V; which identifies the number and general locations of the wells that would be needed to serve the Nocatee development; and which studies and considers various alternatives and comes up with a preferred alternative; and which includes computer modeling of the impact of the water use of the groundwater resources, all as referred to by DDI's witnesses in the Intercoastal/St. Johns County extension case which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation..

16. Please provide any documents which reference, constitute, discuss, or comprise the peer review of that groundwater supply development plan as referenced by DDI's witnesses in the Intercoastal/St. Johns County extension case which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

17. Please provide any documents which were consulted, relied upon, referenced, or utilized in order to create NEWRAP (the Nocatee Environmental and Water Resource Area Plan) which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

18. Please provide any documents which comprise, explain, set forth, detail, discuss, or reference NEWRAP which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

19. Please provide any documents which discuss, reference, concern, analyze, or otherwise review either the service, rates, or operations, or the projected service, rates or operations, of Intercoastal Utilities which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

20. Please provide any documents discussing, referencing, analyzing, referring to, or concerning the reuse of stormwater which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation. Your response should include, but not be limited to, the reuse of such stormwater for fire protection.

21. Please provide any documents discussing, referencing, analyzing, referring to, or concerning the utilization of reuse for fire protection which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

22. For the Nocatee development, please provide the following documents:

- a) Any plans, maps, or documents which reveal, show, establish or discuss the phasing for the Nocatee development which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

- b) Any documents or schedules which discuss the Nocatee development by descriptive types which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation. Your response should include, but not be limited to, documents which set forth descriptive statistics by structure types, construction initiation dates, and build-out dates.
- c) Any documents which project, discuss, establish, reference, or concern average daily demand, maximum daily demand, or peak demands for water and wastewater service in the Nocatee development which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.
- d) Any documents which discuss, project, establish or reference the expected population which will occupy the Nocatee development which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.
- e) Any documents which discuss, reference, relate to, evaluate, or project the number of equivalent residential connections for potable water, domestic wastewater, process/industrial wastewater, or fire flow for the Nocatee development which was

not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

- f) As to the Nocatee development, any documents which discuss the number of acres (or other approximation of land size or area) which will require irrigation; the average daily demand for reuse; the maximum daily demand for reuse and the production uses for reuse which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation. Your response should include, but not be limited to, documents which discuss each of the above-referenced categories with regard to residential, commercial, industrial, green spaces, golf courses, and other potential users or application areas.

23. Please provide documents which discuss, reference, concern, project or calculate projected impervious areas; retention areas (both in terms of acres and capacities); run-off volumes and rates; major drainage paths; drainage area outlets; and any maps, schematics or plans which reveal any of the above-referenced information which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

24. Please provide a copy of any map from your ADA pre-application document which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation..

25. Please provide a copy of any Duval and St. Johns County Comprehensive Plan amendments, projected plan amendments, or documents discussing or referencing any such plan amendments, submitted with your ADA pre-application document (page 25) which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

26. Please provide any copy of the Nocatee Groundwater Development Plan as referenced on page 28 of your ADA pre-application document which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

27. Please provide documents revealing, discussing, referencing, explaining, or setting forth the location of any proposed water, wastewater, or reuse utilities (including, but not limited to, treatment facilities, mains, points of delivery from bulk providers, and appurtenant and related facilities) for any portion of the Nocatee development which was not produced pursuant to Intercoastal's First Request For Production Of Documents to Nocatee Utility Corporation.

DATED this 25th day of January, 2000.



JOHN L. WHARTON, ESQ.
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301
(850) 877-6555

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished by the method indicated below to the following on this 25th day of January, 2000.

Richard D. Melson, Esq.
Hopping, Green, Sams & Smith, P.A.
P.O. Box 6526
Tallahassee, FL 32301

Via Hand Delivery

Samantha Cibula, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Via U.S. Mail



John L. Wharton, Esq.

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