

ORIGINAL

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

In Re: Application for certificates to operate water & wastewater utility in Duval and St. Johns Counties by Intercoastal Utilities, Inc.)

Docket No. 992040-WS

RECORDS AND REPORTING

AUG - 7 PM 1:09

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INTERCOASTAL UTILITIES, INC.'S RESPONSE TO NOCATEE'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL DIRECT TESTIMONY

Intercoastal Utilities, Inc., by an through its undersigned counsel, hereby files this Response to Nocatee's Motion for Leave to File Supplemental Direct Testimony, and would state as follows:

1. Based on its position that the Commission should have before it facts which represent present reality, Intercoastal does not object to the supplemental direct testimony of Nocatee provided that Intercoastal is given a full and fair opportunity to conduct discovery on the supplemental direct testimony and to respond, in the form of pre-filed testimony and exhibits, to the supplemental direct testimony as necessary and appropriate. In the absence of such an opportunity to conduct discovery and to

APP file such a response, Intercoastal would object to the supplemental direct testimony
CAF
CMP
COM 5 as violating Intercoastal's due process and denying Intercoastal the ability to effectuate
CTR
ECR
LEG the procedure contemplated by the Procedure Order in this case.
OPC
PAL
RGO
SEC
SER
OTH

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FPSC-BUREAU OF RECORDS

1110

DOCUMENT NUMBER-DATE

09537 AUG-78

DATED this 7th day of August, 2000.



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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 7th day of August, 2000.

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intercoa\nocatee\response to nocatee's motion