

ORIGINAL



JACK SHREVE
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STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature
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850-488-9330

July 6, 2001

Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 991437-WU

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of Citizens' Response in Opposition to Wedgefield's Motion.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Charles J. Beck,
Deputy Public Counsel

CJB:bsr

Enclosure

RECEIVED
JUL 10 2001
OFFICE OF THE
PUBLIC COUNSEL
TALLAHASSEE, FLORIDA

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase)
In water rates in Orange County)
By Wedgefield Utilities, Inc. _____)

Docket no. 991437-WU

Filed July 6, 2001

CITIZENS' REPONSE IN OPPOSITION TO WEDGEFIELD'S MOTION

The Citizens of Florida (Citizens), by and through Jack Shreve, file this response in opposition to the motion filed by Wedgefield Utilities, Inc. (Wedgefield) on July 3, 2001, entitled "Wedgefield's motion to require production of documents in one week and motion to compel record keeping."

1. This dispute started out as a rather simple matter. Late last Friday afternoon, Wedgefield filed an exhibit CJW-5, which purports to be an update to exhibit ELN-2, the estimate of rate case expense. Exhibit CJW-5 claims to provide actual rate case expense through June, 2001, and a new estimate for remaining rate case expense.

2. The exhibit shows tasks and hours on a daily basis for consultant Frank Seidman, but not so for attorney Ben Girtman. Instead, the exhibit merely shows monthly totals of hours for attorney Girtman without showing the hours spent on specific tasks. In order to receive the same type of information for attorney Girtman as was filed for consultant Seidman, Citizens served our fifth set of requests for documents to Wedgefield on Monday of this week. It asked for attorney Girtman's time sheets so that

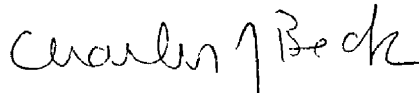
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FPSC - RECORDS REPORTING

we will be able to tell the amount of time spent on each task by Wedgefield's attorney, just as we can for their consultant. The information is necessary so that we can identify amounts of rate case expense associated with specific tasks and is thus clearly relevant to the issue of rate case expense.

3 Instead of simply agreeing to provide the information missing from its filing, Wedgefield decided that it would make provision of this information contingent on Citizens providing similar information to Wedgefield. Time spent by Citizens on this case is not relevant to rate case expense or any other issue before the Commission. Wedgefield's motion should therefore be denied. Fla. Admin Code R. 28-106.206; Fla. R. Civ. P. 1.280(b)(1).

WHEREFORE, Citizens request the Prehearing Officer to deny Wedgefield's motion.

Respectfully submitted,



Charles J. Beck
Deputy Public Counsel
Fla. Bar No. 217281

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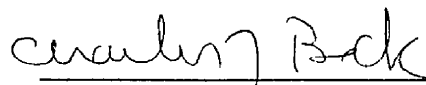
(850) 488-9330

Attorney for Florida's Citizens

DOCKET NO. 991437-WU
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S.

Mail or hand-delivery to the following parties on this 6th day of July, 2001.



Charles J. Beck

Jason Fudge
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