

ORIGINAL



JACK SHREVE
PUBLIC COUNSEL

STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature
111 West Madison St.
Room 812
Tallahassee, Florida 32399-1400
850-488-9330

November 8, 2002

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

RECEIVED
02 NOV - 8 PM 3:21
COMMISSION
CLERK

Re: Docket No. 021066-WS

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of Citizens' Motion to Require Response by FWSC to Citizens' First Set of Requests for Production of Documents by No Later Than Monday, November 18, 2002.

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

AUS _____
CAF _____
CMP _____
COM _____ Enclosures
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC _____
OTH _____

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

12301 NOV-8 02

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into Proposed)
Sale of Florida Water Services)
Corporation)

Docket no. 021066-WS

Filed November 8, 2002

**CITIZENS' MOTION TO REQUIRE RESPONSE BY FWSC TO CITIZENS' FIRST SET
OF REQUESTS FOR PRODUCTION OF DOCUMENTS BY NO LATER THAN
MONDAY, NOVEMBER 18, 2002**

The Citizens of Florida (Citizens), by and through Jack Shreve, Public Counsel, request the Prehearing Officer to issue an order requiring Florida Water Services Corporation (FWSC) to respond to Citizens' first set of requests for production of documents by no later than Monday, November 18, 2002, and in support of this motion state the following:

1. The Florida Public Service Commission opened this docket on October 22, 2002, to investigate the proposed sale of FWSC to a newly created entity named Florida Water Services Authority (FWSA). Terms of the purchase agreement between FWSC and FWSA call for a closing by December 15, 2002, subject to FWSA being able to issue bonds for the purchase price and other conditions.

2. The short time frame before the anticipated closing of the transaction between FWSC and FWSA leaves little time to gather information regarding the proposed sale.

3. Citizens intervened in this docket today and served on FWSA, both by fax and e-mail, a limited number of requests for production of documents. By their nature, requests for production of documents only require the company to produce documents which already exist. Therefore, in order to respond, FWSC need only produce documents already in existence. Production of the documents in ten days would not be unduly burdensome on the company.

WHEREFORE, Citizens respectfully request the Prehearing Officer to issue an order requiring Florida Water Services Corporation (FWSC) to respond to Citizens' first set of requests for production of documents by no later than Monday, November 18, 2002.

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

Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street
Room 812
Tallahassee, FL 32399-1400

(850) 488-9330

Attorney for Florida's Citizens

**DOCKET NO. 021066-WS
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 November 8, 2002.

Charles J. Beck

Lorena Holley
Office of General Counsel
Fla. Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

John R. Marks, III
Knowles, Marks & Randolph, P.A.
215 South Monroe Street
Tallahassee, FL 32301

Charlotte County Board
of Commissioners
18500 Murdock Circle
Port Charlotte, FL 33948-1094

Thomas C. Palmer
Collier County Board
of Commissioners
3301 E. Tamiami Trail
Administrative Bldg., 8th Floor
Naples, FL 34112

Mr. Chuck Lewis
Hernando County Board
of County Commissioners
20 North Main Street, Rm. 461
Brooksville, FL 34601-2849

Florida Water Services Corporation
P.O. Box 609520
Orlando, FL 32860-9520

Michael B. Twomey, Esq.
P.O. Box 5256
Tallahassee, FL 32314-5256

Kenneth Hoffman, Esq.
Martin McDonnell, Esq.
Rutledge Law Firm
P.O. Box 551
Tallahassee, FL 32302-0551

Marshall Willis
Patricia Daniel
Connie Kummer
Division of Economic Regulation
Fla. Public Service Commission
Tallahassee, FL 32399

John Williams
Division of External Affairs
Fla. Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into Proposed)
Sale of Florida Water Services)
Corporation)

Docket no. 021066-WS
Filed November 8, 2002

**CITIZENS' MOTION TO REQUIRE RESPONSE BY FWSC TO CITIZENS' FIRST SET
OF REQUESTS FOR PRODUCTION OF DOCUMENTS BY NO LATER THAN
MONDAY, NOVEMBER 18, 2002**

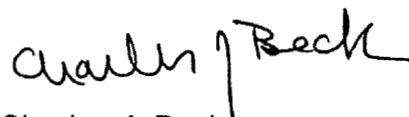
The Citizens of Florida (Citizens), by and through Jack Shreve, Public Counsel, request the Prehearing Officer to issue an order requiring Florida Water Services Corporation (FWSC) to respond to Citizens' first set of requests for production of documents by no later than Monday, November 18, 2002, and in support of this motion state the following:

1. The Florida Public Service Commission opened this docket on October 22, 2002, to investigate the proposed sale of FWSC to a newly created entity named Florida Water Services Authority (FWSA). Terms of the purchase agreement between FWSC and FWSA call for a closing by December 15, 2002, subject to FWSA being able to issue bonds for the purchase price and other conditions.

2. The short time frame before the anticipated closing of the transaction between FWSC and FWSA leaves little time to gather information regarding the proposed sale.

3. Citizens intervened in this docket today and served on FWSA, both by fax and e-mail, a limited number of requests for production of documents. By their nature, requests for production of documents only require the company to produce documents which already exist. Therefore, in order to respond, FWSC need only produce documents already in existence. Production of the documents in ten days would not be unduly burdensome on the company.

WHEREFORE, Citizens respectfully request the Prehearing Officer to issue an order requiring Florida Water Services Corporation (FWSC) to respond to Citizens' first set of requests for production of documents by no later than Monday, November 18, 2002.



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

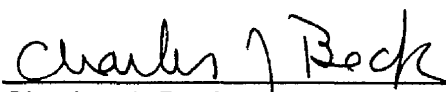
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street
Room 812
Tallahassee, FL 32399-1400

(850) 488-9330

Attorney for Florida's Citizens

**DOCKET NO. 021066-WS
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 November 8, 2002.


Charles J. Beck

Lorena Holley
Office of General Counsel
Fla. Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

John R. Marks, III
Knowles, Marks & Randolph, P.A.
215 South Monroe Street
Tallahassee, FL 32301

Charlotte County Board
of Commissioners
18500 Murdock Circle
Port Charlotte, FL 33948-1094

Thomas C. Palmer
Collier County Board
of Commissioners
3301 E. Tamiami Trail
Administrative Bldg., 8th Floor
Naples, FL 34112

Mr. Chuck Lewis
Hernando County Board
of County Commissioners
20 North Main Street, Rm. 461
Brooksville, FL 34601-2849

Florida Water Services Corporation
P.O. Box 609520
Orlando, FL 32860-9520

Michael B. Twomey, Esq.
P.O. Box 5256
Tallahassee, FL 32314-5256

Kenneth Hoffman, Esq.
Martin McDonnell, Esq.
Rutledge Law Firm
P.O. Box 551
Tallahassee, FL 32302-0551

Marshall Willis
Patricia Daniel
Connie Kummer
Division of Economic Regulation
Fla. Public Service Commission
Tallahassee, FL 32399

John Williams
Division of External Affairs
Fla. Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399