

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Initiation of show cause)
proceedings against Aloha Utilities,)
Inc. in Pasco County for failure to)
charge approved service availability)
charges, in violation of Order No.)
PSC-01-0326-FOF-SU and Section)
367.091, Florida Statutes.)
_____)

DOCKET NO. 020413-SU

REQUEST FOR ORAL ARGUMENT

Aloha Utilities, Inc. (Aloha), through its undersigned counsel, pursuant to Rules 25-22.058 and 28-106.204, Florida Administrative Code, requests that the Prehearing Officer in this docket permit oral argument on Aloha's Motion to Compel Answers to Interrogatories and Request for Production of Documents and as grounds therefore state as follows:

1. On October 25, 2002 Aloha served its First Set of Interrogatories Nos. 1-7 and First Request for Production of Documents No. 1 on Adam Smith Enterprises, Inc. (Adam Smith), an interested party in this proceeding.
2. On November 4, 2002, Adam Smith filed objections to Interrogatories Nos. 2, 3, 4, and 5 and Request for Production No. 1.
3. Testimony is currently scheduled to be filed on Monday, November 25, 2002.

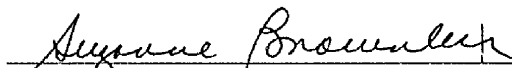
Aloha appreciates the fact that Adam Smith filed its objections within 10 days of service. However, Aloha assumes that Adam Smith will take no further action to answer that portion of Aloha's discovery to which it filed an objection until ordered to do so. This discovery is needed in order for Aloha to prepare its direct testimony. This case involves the novel issues associated

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with the under collection of service availability charges , none of which have been litigated at the Commission before. That being the case, oral argument would assist the Commission in reaching a just and reasonable decision in this matter.

WHEREFORE, Aloha Utilities, Inc. Requests that the Prehearing Officer grant its request for oral argument.

Respectfully submitted this 8th day of November, 2002 by:


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT a true and correct copy of the foregoing has been provided to the persons listed below by U.S. Mail or (*) Hand Delivery this 8th day of November, 2002:

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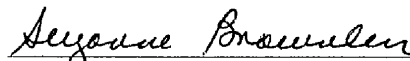
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