

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application of)
UTILITIES, INC. OF FLORIDA)
for a rate increase in Marion, Orange,)
Pasco, Pinellas and Seminole Counties)
_____)

Docket No. 020071-WS

COMMISSION
CLERK

02 NOV 27 AM 10:41

RECEIVED 11:50

UTILITIES, INC. OF FLORIDA'S OBJECTIONS TO CITIZENS' FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS

UTILITIES, INC. OF FLORIDA (hereinafter "UIF"), by and through its under-
signed counsel, hereby files its Objection to Citizens' Fifth Request for Production of
Documents as to Requests 49 (*the second 49*) through 55, and in support thereof
states:

49. Please provide all press releases issued by Nuon and/or Utilities, Inc.,
which addressed the merger between the two companies.

RESPONSE: This Request seeks press releases concerning the merger of Nuon
and Utilities, Inc., the parent corporation of UIF. UIF cannot
determine any relevance or materiality in such documents nor any
admissible evidence to which such documents could lead.

50. Please provide all due diligence studies conducted by or for Utilities, Inc.,
in connection with the possible merger between Utilities, Inc., and Nuon.

RESPONSE: Any such documents are confidential. Further, such documents
are irrelevant, immaterial and not calculated to lead to the
discovery of admissible evidence.

51. Please provide all due diligence studies conducted by or for Utilities, Inc.,
in connection with the possible merger between Utilities, Inc., and Suburban Utilities,
Inc.

RECEIVED
NOV 27 11:50
FPSC

DOCUMENT NUMBER-DATE

13029 NOV 27 8

FPSC-COMMISSION CLERK

RESPONSE: Any such documents are confidential. Further, such documents are irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence.

52. Please provide all due diligence studies conducted by or for Nuon in connection with the possible merger between Utilities, Inc., and Nuon.

RESPONSE: Any such documents are confidential. Further, such documents are irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence.

53. Please provide a copy of the merger agreement and all associated and related agreements between Nuon and Utilities, Inc.

RESPONSE: Any such documents are confidential. Further, such documents are irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence.

54. Provide a copy of all four proposals submitted to Utilities, Inc., as a result of the RFP solicitation for a merger partner.

RESPONSE: Any such documents are confidential. Further, such documents are irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence.

55. Provide a copy of the RFP solicitation for a merger partner for Utilities, Inc.

RESPONSE: Any such documents are confidential. Further, such documents are irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence.

The undersigned attempted to contact the attorney for the Office of Public Counsel who propounded this discovery to determine what relevant and material information these documents are supposed to disclose. However, that attorney is out

of the office this week and objections must be made this week. Thus, UIF will supplement its objections when it learns the purpose of OPC's Requests.

Respectfully submitted on this
25th day of November, 2002, by:

ROSE, SUNDSTROM & BENTLEY, LLP
650 S. North Lake Boulevard, Ste. 420
Altamonte Springs, Florida 32701
(407) 830-6331
(407) 830-8522 Fax

By: 

MARTIN S. FRIEDMAN
Florida Bar No.: 199060

CERTIFICATE OF SERVICE
DOCKET NO.: 020071-WS

I HEREBY CERTIFY that a true and correct copy of the foregoing Objection of Utilities, Inc., of Florida to Citizens' Fifth Request for Production has been served upon the following parties by U.S. Mail this 25th day of November, 2002:

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

Roseanne Gervasi, Esquire
Lorena Holley, Esquire
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

By: 

MARTIN S. FRIEDMAN
Florida Bar No.: 199060