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January 31, 2003

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

Re: Docket No. 020071-WS

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of the Citizens' Fifth Motion to Compel.

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

Sincerely,

Stephen C. Reilly
Associate Public Counsel

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Utilities, Inc. of)	Docket No. 020071-WS
Florida for a rate increase in Marion, Orange)	
Pasco, Pinellas and Seminole Counties)	Dated: January 31, 2003

CITIZENS' FIFTH MOTION TO COMPEL

The Citizens of the State of Florida ("Citizens"), through their attorney, pursuant to Rules 28-106.204, and 28-106.206, Florida Administrative Code, hereby seek the Florida Public Service Commission ("the Commission") to compel Utilities, Inc. of Florida ("Utilities, Inc.") to provide responsive answers to interrogatories propounded by the Citizens as describe herein:

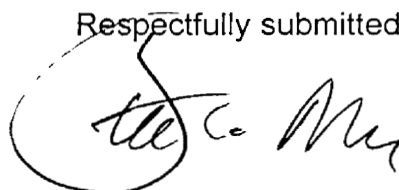
1. On December 13, 2002 the Citizens propounded their Eighth Set of Interrogatories to Utilities, Inc. (Nos. 102-116)
2. On December 23, 2002 Utilities Inc. filed a timely objection to two of the interrogatories (Nos. 102 and 111) propounded in this eighth set.
3. The Citizens and Utilities, Inc. have had discussions concerning the information being sought by the Citizens in interrogatories Nos. 102 and 111 and the information in the possession of Utilities, Inc. with regard to these two interrogatories. As a result of these discussions no further information will be sought by the Citizens concerning these two interrogatories.
4. Pursuant to the requirements of Rule 28-106.206, Florida Administrative Code, and Rule 1.340, Florida Rules of Civil Procedure, Utilities, Inc.

was obligated to provide the Citizens with responsive answers to the interrogatories on or before January 13, 2003. To date the Citizens have received no responses to interrogatories nos. 103-110 and 112-116.

5. Under the current CASAR the Citizens are required to file their pre-filed direct testimony on or before March 31, 2003. The Citizens require responsive answers to the above interrogatories in order to prepare their testimony. The delay in receiving this information is already compromising the Citizens ability to prepare their testimony.

WHEREFORE, the Citizens respectfully move this Commission to compel Utilities, Inc. to provide responsive answers to the Citizens' interrogatories nos. 103-110 and 112-116 on a date certain, as quickly as can be ordered by the Commission.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen C. Reilly", is written over a large, hand-drawn circular scribble.

Stephen C. Reilly
Associate Public Counsel

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

CERTIFICATE OF SERVICE
DOCKET NO. 020071-WS

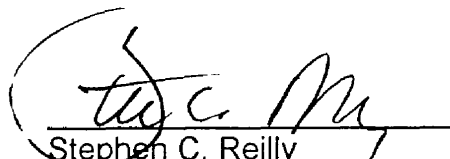
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery, facsimile and/or U.S. Mail to the following parties on this 31st day of January, 2003.

By U.S. Mail & Facsimile:

Martin S. Friedman, Esquire
Rose, Sundstrom & Bentley, LLP
650 S. North Lake Blvd.
Suite 420
Altamonte Springs, FL 32701

By Hand Delivery:

Rosanne Gervasi, Esquire
Lorena Holley, Esquire
Division of Legal Services
Fla. Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850



Stephen C. Reilly
Associate Public Counsel