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Ronald A. Koenig
270 Gulf Boulevard
Knight Island, Florida

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April 23, 2003

Docket No. 020745-SU

In RE: Application for certificate to
provide wastewater service in Charlotte
County, Florida by of Island
Environmental Utility, Inc.

Ms. Blanca Bayo
Commission Clerk and Administrative Services Director
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No. 020745-SU; and Island Environmental Utility, Inc.'s Motion to Strike
Objections and Compel Discovery

Dear Ms. Bayo:

I respectfully request that you deny Island Environmental Utility, Inc.'s request to strike
my objections and compel discovery.

Island Environmental served interrogatories postmarked March 24, 2003, which
referenced Rule 1.28-106.206, Florida Administrative Code and Rule 1.340, Florida
Rules of Civil Procedure. I responded to the Request for Interrogatories and Published
Documents within 21 days of receipt of the Request. Since I referenced the material in
the Served Notice, I in good faith felt I was well within the 30 days stipulated in Florida
Administrative Code and Rules of Civil Procedure. Island Environmental Utility, Inc.'s
request did not

- ✓ reference PSC-02-1611-PCO-SU, Order Establishing Procedure,
- ✓ provide a copy of this procedure (PSC-02-1611-PCO-SU) with the
interrogatory request,
- ✓ state my response was due in 10 days

I ask that you permit my objections to be included in the record. Please allow my
response dated Friday, March 28, 2003 to be accepted as an exception to the Order
Establishing Procedure, PSC-02-1611-PCO-SU.

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I realize under procedure PSC-02-1611-PCO-SU that I may need to answer these interrogatories. If I am requested to answer them under PSC-02-1611-PCO-SU, I will do so.

Additionally, I formally request that the PSC-02-1611-PCO-SU, Order Establishing Procedure be amended to allow adequate time for me to respond to any future voluminous requests for information.

It is not my intention to introduce unnecessary delay. I ask if you would please clarify if the 10 days stipulated in PSC-02-1611-PCO-SU is based upon the postmark date or the date I receive the letter. When does the clock start?

I ask that the Public Service Commission instruct Rose, Sunstrom & Bentley, LLP to reference Rules, Procedures, Administrative Code and Orders when submitting requests and be specific with what they want and the timeframe they expect to receive it.

In summary,

- ❖ I was requested to provide information in compliance of Rule 28-106 of the FL Admin Code & Rule 1.340 of FL Rules of Civil Procedure. I complied with this request based on this rule.
- ❖ Now Island Environmental Utility, Inc. is requesting the Florida Public Service Commission to strike my objections based on my non-compliance to the articles in a document (PSC-02-1611-PSC-SU) which they never mentioned or referenced.
- ❖ This matter could have been avoided if they would have stated in their request that my response was due in 10 days and referenced PSC-02-1611-PSC-SU.

Respectfully,



Ronald A. Koenig

CC: Rose, Sundstrom & Bentley, LLP