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REPLY TO ALTAMONTE SPRINGS

August 6, 2003

HAND DELIVERY

RECEIVED FPSC
COMMISSION CLERK
AUG 6 AM 11:11

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; Application of Island Environmental Utility, Inc., for
Original Certificate
Our File No.: 37025.01

Dear Ms. Bayo:

Enclosed please find for filing in the above-referenced docket the original and seven (7) copies of Island Environmental Utility, Inc.'s Motion to Strike Objection.

Very truly yours,



VALERIE L. LORD
Of Counsel

AUS
CAF
CMP
COM 3
CTR
ECR
GCL
GPC
AMS
SEC 1
DTH

MSF/dmp
Enclosures

cc: Rosanne Gervasi, Esquire (w/enclosure)
Mr. Daniel Nolan (w/enclosure)
Mrs. Linda Bamfield (w/o enclosure)
Mr. Ronald Koenig (w/o enclosure)

DOCUMENT NUMBER-DATE

07171 AUG-6 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 020745-SU

MOTION TO STRIKE OBJECTION

Island Environmental Utility, Inc., (*Island Environmental*), beyond through its undersigned attorneys, requests that the Florida Public Service Commission (*Commission*) strike the Objection of Mr. Daniel Nolan filed in this case, and in support shows:

1. Island Environmental served Interrogatories and Requests for Production of Documents (*Discovery Requests*) on Mr. Nolan on March 24, 2003. Mr. Nolan mailed his Objections to the Discovery Requests to Island Environmental on April 16, 2003, after the date for filing objections to the Discovery Requests had expired. Island Environmental filed a Motion to Strike Mr. Nolan's Objections and to Compel Mr. Nolan to provide answers to the Discovery Requests.

2. On July 3, 2003, the Commission issued Order No. PSC-03-0791-PCO-SU (*Order*), denying Island Environmental's Motion to Strike Mr. Nolan's Objections and directing Mr. Nolan to provide Island Environmental with answers to the Discovery Requests within 30 days of the date of the Order.

3. In accordance with the terms of the Order, Mr. Nolan was required to provide Island Environmental with answers to the Discovery Requests by Monday, August 4, 2003, at the latest.

4. Mr. Nolan has failed to answer the Discovery Requests or to otherwise respond in any meaningful way, within the time required by the Order.

DOCUMENT NUMBER DATE

07171 AUG-08

FPSC-COMMISSION CLERK

5. Island Environmental requires answers to the Discovery Requests in order to give it a fair and reasonable opportunity to assess the nature and extent of Mr. Nolan's claims and to respond to Mr. Nolan's objections to the Application. Mr. Nolan's refusal to answer the Discovery Requests has prevented Island Environmental from investigating Mr. Nolan's objections, assessing the impact of its proposed territory extension on Mr. Nolan's interests, preparing a defense to his objections or structuring reasonable alternatives, all to its detriment.

6. Island Environmental has been prejudiced, and will continue to be prejudiced, in the pursuit of its Application, by Mr. Nolan's failure and refusal to answer the Discovery Requests.

7. Mr. Nolan's continual failure and refusal to obey the terms of the Order is purposeful and flagrant. The Commission Staff have given Mr. Nolan assistance in understanding his rights and obligations under the Rules of the Commission and pursuant to the Order, as well as tolerance because he is unrepresented. However, despite the able assistance and advice of Commission Staff, Mr. Nolan has flouted a lawful Order of this Commission.

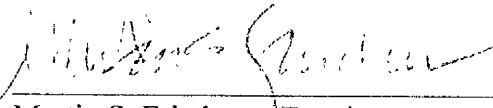
8. Mr. Nolan is primarily resident outside of the United States.

9. It appears unlikely that Mr. Nolan will credibly respond to the Discovery Requests, or that other sanctions such as holding Mr. Nolan in contempt, will be sufficient to enforce the Order, and that an order striking Mr. Nolan's objections will be the only method for achieving the objectives of the Order and ensuring fairness to the other parties to this matter who are willing to comply with the lawful orders of this Commission.

WHEREFORE, Island Environmental Utility, Inc., respectfully requests that this Commission issue an order striking Mr. Nolan's objections.

Respectfully submitted on this 6th day of August, 2003.

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Martin S. Friedman, Esquire
For the Firm

CERTIFICATE OF SERVICE
DOCKET NO. 020745-SU

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Strike Objection filed by Island Environmental Utility, Inc., has been furnished by U.S. Mail to the following parties on this 5th day of August, 2003:

Mr. Daniel Nolan
3031 Placida Road
Englewood, FL 34224

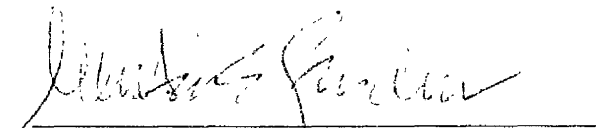
and at

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