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January 26, 2004

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Blanca Bayo, Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumark Oak Blvd.  
Tallahassee, FL 32399-0850

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04 JAN 27 AM 9:58

Re: In Re: Application of Farmton Water Resources, LLC for original Water Certificate in Volusia and Brevard Counties, Florida  
Docket No. 021256-WU

Dear Ms. Bayo:

This firm represents the City of Titusville in the above-referenced matter. Enclosed please find an original and two copies of the following:

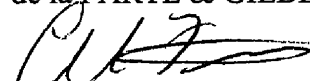
- 1. Titusville's Objections to Farmton's First Set of Interrogatories

Please file the original of these pleadings in the PSC's file. Please forward one of the copies of these pleadings to Staff Personnel and please date stamp the second copy and return it to me in the self-addressed stamped envelope.

Thank you for your attention to this matter. Please call me or my paralegal, Linda Foy, if you have any questions or comments.

Sincerely,

de la PARTE & GILBERT, P.A.

  
Charles R. Fletcher

US \_\_\_\_\_  
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Enclosures

DOCUMENT NUMBER-DATE

01159 JAN 27 3

FPSC-COMMISSION CLERK

**STATE OF FLORIDA  
PUBLIC SERVICE COMMISSION**

**IN RE:**

)  
)  
Application of Farmton Water Resources, )  
LLC for original Water Certificate in Volusia )  
and Brevard Counties, Florida )  
\_\_\_\_\_ )

DOCKET NO. 021256-WU

**TITUSVILLE'S OBJECTIONS TO FARMTON'S FIRST SET OF INTERROGATORIES**

Respondent Farmton Water Resources, LLC ("Farmton"), served on the City of Titusville ("Titusville") 29 interrogatories on January 16, 2004. Titusville files the following objections to Farmton's interrogatories:

1. Titusville objects to Interrogatories 2 through 12 to the extent they require disclosure of the legal reasoning and mental impressions of Titusville's legal counsel and work product. Such inquiries are outside the scope of interrogatories that may be propounded pursuant to the Florida Administrative Procedures Act, the Uniform Rules of Procedure, and the Florida Rule of Civil Procedure.

2. Titusville objects to a number of interrogatories, including Interrogatory 15, because they are overbroad, unduly burdensome, and not reasonably calculated to lead to admissible evidence. For example, in Interrogatory 15, Farmton requests that Titusville seek out and provide any documents submitted by "third parties" to the St. Johns River Water Management District regarding Titusville's consumptive use permit. In order to respond to this interrogatory, Titusville would have to conduct a public records review of the District's files. Farmton has as much ability as Titusville to conduct such a review of the District's files.

3. Titusville also objects to the interrogatories to the extent they request the disclosure of confidential attorney-client communications, attorney work product, settlement negotiations or any other confidential or privileged documents or communications.

4. Without waiving any additional objections or other rights, Titusville intends to respond to Farmton's interrogatories within the timeframes provided in the Florida Rules of Civil Procedure, as incorporated by reference in Florida Administrative Code Rule 28-106.206.

Respectfully submitted,



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Counsel for City of Titusville, Florida

#### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was served by **Telefacsimile and U.S. Mail** on Scott L. Knox, Esquire, Brevard County Attorney, 2725 Judge Fran Jamieson Way Viera, FL 32940, Telefacsimile (321) 633-2096; Jennifer A. Rodan, Esq., Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, Telefacsimile (850) 413-6250, F. Marshall Deterding, Esquire, Rose, Sundstrom & Bentley, LLP, 2548 Blairstone Pines Drive, Tallahassee, FL 32301, Telefacsimile (850) 656-4029; and William J. Bosch, III, Esquire, Volusia County Attorney, 123 West Indiana Avenue, DeLand, FL 32720-4613, Telefacsimile (386) 736-5990 on this 26<sup>th</sup> day of January 2004.