

ORIGINAL

LAW OFFICES
ROSE, SUNDSTROM & BENTLEY, LLP
2548 BLAIRSTONE PINES DRIVE
TALLAHASSEE, FLORIDA 32301

FREDERICK L. ASCHAUER, JR.
CHRIS H. BENTLEY, P.A.
ROBERT C. BRANNAN
DAVID F. CHESTER
F. MARSHALL DETERDING
JOHN R. JENKINS, P.A.
STEVEN T. MINDLIN, P.A.
DAREN L. SHIPPY
WILLIAM E. SUNDSTROM, P.A.
DIANE D. TREMOR, P.A.
JOHN L. WHARTON
ROBERT M. C. ROSE, OF COUNSEL
WAYNE L. SCHIEFELBEIN, OF COUNSEL

(850) 877-6555
FAX (850) 656-4029
www.rsbatorneys.com

CENTRAL FLORIDA OFFICE
600 S. NORTH LAKE BLVD., SUITE 160
ALTAMONTE SPRINGS, FLORIDA 32701-6177
(407) 830-6331
FAX (407) 830-8522

REPLY TO ALTAMONTE SPRINGS

MARTIN S. FRIEDMAN, P.A.
VALERIE L. LORD, OF COUNSEL
(LICENSED IN TEXAS ONLY)

March 31, 2004

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

RECEIVED-FPSC
04 APR -2 AM 10:08
COMMISSION
CLERK

Re: Docket No. 020745-SU; Application of Island Environmental Utility, Inc., for an
Original Wastewater Certificate in Charlotte County, Florida
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 Response to Motion to Enforce Commission
Order.

Very truly yours,

MARTIN S. FRIEDMAN
For the Firm

MSF/mp
Enclosures

AUS _____
CAF _____
CMP _____
COM 5
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC 1
OTH _____

cc: Rosanne Gervasi, Esquire (w/enclosure)
Jannette S. Knowlton, Esquire (w/enclosure)
D. Bruce May, Jr. (w/enclosure)
W. Kevin Russell, Esquire (w/enclosure)
Gary L. Wilkins, Esquire (w/enclosure)
Mr. Ronald Koenig (w/enclosure)
Mrs. Linda Bamfield (w/enclosure)
Mr. John R. Boyer (w/enclosure)
Mr. Dean Beckstead (w/enclosure)

DOCUMENT NUMBER-DATE

04211 APR-2 3

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application of ISLAND
ENVIRONMENTAL UTILITY, INC., for
original Water Certificate in Charlotte
County, Florida.

DOCKET NO. 020745-SU

RESPONSE TO MOTION TO ENFORCE COMMISSION ORDER

ISLAND ENVIRONMENTAL UTILITY, INC. ("Utility"), by and through its undersigned counsel, pursuant to Rule 28-106.204, F.A.C., files this response to Linda Bamfield's Motion to Enforce Commission Order, and states as follows:

1. Ms. Linda Bamfield, an Intervenor in this proceeding, telephoned the undersigned counsel for the Utility and inquired about compliance with Commission Order No. PSC-03-1415-PCO-SU ("Order") relating to documentation concerning the financial resources of the Utility's shareholders, including the personal financial statements of the Utility's shareholders.

2. Counsel for the Utility informed Ms. Bamfield that a Motion to Abate Proceeding and Revise Case Assignment Scheduling Record ("Motion") was pending before this Commission. She was advised that the Utility will file an application that would not rely on the financial resources of the shareholders of the Utility, and that the information she sought pursuant to the Order was irrelevant.

3. On March 25, 2004, Ms. Bamfield filed a Motion to Enforce Commission Order demanding that the Commission direct the Utility to produce the documents "immediately".

4. On March 30, 2004, this Commission issued Order No. PSC-04-0333-PCO-SU, granting the motions to intervene of Palm Island Estates Association, James D. Wade and

DOCUMENT NUMBER-DATE

04211 APR-23

FPSC-COMMISSION CLERK

The Preserve of Don Pedro Owners Association and the Motion. In this Order, the Commission directed that the Utility file an application that complies with Rule No. 25-30.033, F.A.C., within 60 days.

5. The Utility intends to file an application that complies with Rule 25-30.033, F.A.C. within the time proscribed by the Commission in its recent Order. The application will not rely on the financial resources of the shareholders of the Utility.

6. Ms. Bamfield's continued efforts to obtain Mr. Beckstead's financial statements, even though they are irrelevant to this proceeding, validates the Utility's arguments that Ms. Bamfield has a personal vendetta with Mr. Beckstead.

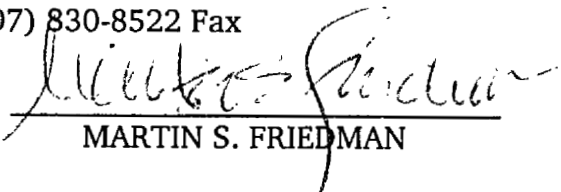
7. There being no reason to compel the production of the personal financial statements of the shareholders of the Utility, Ms. Bamfield's Motion to Enforce Commission Order should be denied.

WHEREFORE, ISLAND ENVIRONMENTAL UTILITY, INC. respectfully requests that the Commission deny the Motion to Enforce Commission Order of Linda Bamfield.

Respectfully submitted on this
31 day of March, 2004, by:

ROSE, SUNDSTROM & BENTLEY, LLP
600 S. North Lake Boulevard
Suite 160
Altamonte Springs, Florida 32701
(407) 830-6331
(407) 830-8522 Fax

By:


MARTIN S. FRIEDMAN

CERTIFICATE OF SERVICE
DOCKET NO. 020745-SU

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S.

Mail to the following parties on this 27 day of March, 2004:

Mr. Ronald Koenig
8006 Lago Vista Drive
Tampa, FL 33614

Mrs. Linda Bamfield
P.O. Box 5063
Grove City, FL 34224

W. Kevin Russell, Esquire
Wilkins, Frolich, Jones, Hevia,
Russell, Hanaoka & Mizell, P.A.
14295 South Tamiami Trail
North Port, FL 34287

Attorneys for Little Gasparilla Island Property
Owners Association

Gary L. Wilkins, Esquire
Wilkins, Frolich, Jones, Hevia,
Russell, Hanaoka & Mizell, P.A.
18501 Murdock Circle, 6th Floor
Port Charlotte, FL 33948

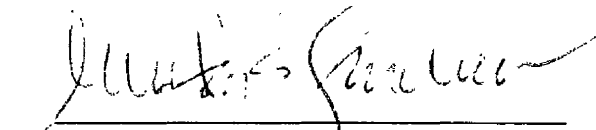
Attorneys for Palm Island Estates
Owners Association

Bruce May, Esquire
Holland & Knight, LLP
315 South Calhoun Street, Suite 600
Tallahassee, Florida 32301

Attorneys for The Preserve of Don Pedro
Owners Association and James W. Wade

Jannette S. Knowlton, Esquire
Linda Carroll, Esquire
Assistant County Attorney
18500 Murdock Circle
Port Charlotte, FL 33948

Rosanne Gervasi, Esquire
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



MARTIN S. FRIEDMAN