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REPLY TO CENTRAL FLORIDA OFFICE

December 1, 2005

MARTIN S. FRIEDMAN, P.A.  
VALERIE L. LORD

**BY HAND DELIVERY**

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

RECEIVED FPSC  
COMMISSION CLERK  
DEC-1 11:12:54

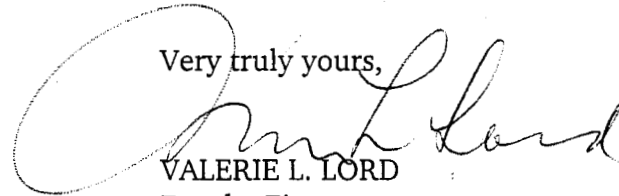
Re: Docket No. 040384-WS; Application of Sanlando Utilities Corporation for an  
Amendment of Water and Wastewater Certificates in Seminole County, Florida  
Our File No.: 30057.61

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket is the Motion for Order Compelling  
Discovery of Sanlando Utilities Corporation.

Should you have any questions regarding this filing, please do not hesitate to give me  
a call.

Very truly yours,



VALERIE L. LORD  
For the Firm

CMP \_\_\_\_\_  
COM 3 VLL/tlc  
Enclosures

CTR \_\_\_\_\_  
ECR \_\_\_\_\_ cc: Jennifer Brubaker, Esquire (by hand delivery, w/o enclosures)  
Richard S. Taylor, Esquire (by U.S. Mail, w/enclosures)  
GCL \_\_\_\_\_ Susan Dietrich, Esquire (by U.S. Mail, w/enclosures)  
OPC \_\_\_\_\_ Mr. James M. Kinsella III (by U.S. Mail, w/enclosures)  
RCA \_\_\_\_\_ Mr. Pepe L. Gaibor (by U.S. Mail, w/enclosures)  
Mr. Thomas M. Artingstall (by U.S. Mail, w/enclosures)  
SCR \_\_\_\_\_ Mr. Steven M. Lubertozzi (by U.S. Mail, w/enclosures)  
Mr. Patrick C. Flynn (by U.S. Mail, w/enclosures)

SGA \_\_\_\_\_ M:\ALTAMONTE\UTILITIES INC\SANLANDO\61) SANLANDO (2003 Terr Ext)\CONSOLIDATION\PSC Clerk 16 (Motion for Order Compelling Discovery).ltr.wpd

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ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application of  
**SANLANDO UTILITIES  
CORPORATION** for amendment  
of water and wastewater certificates  
in Seminole County, Florida

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Docket No.040384-WS

**MOTION FOR ORDER COMPELLING DISCOVERY**

SANLANDO UTILITIES CORPORATION (*Sanlando*), by through its undersigned attorneys, and pursuant to Rule 1.380, Florida Rules of Civil Procedure, files this Motion for an Order compelling the City of Longwood (*Longwood*) to provide responses to Sanlando's First Set of Interrogatories and Second Request for Production of Documents, and awarding Sanlando its expenses, including attorneys' fees, incurred in obtaining the Order, and in support thereof, states:

1. In 2004, Longwood filed an objection to Sanlando's Application.
2. On April 28, 2005, Sanlando served its First Set of Interrogatories and Second Request for Production of Documents on Longwood.
3. Counsel for Longwood telephoned counsel for Sanlando requesting an extension of time to respond. Counsel for Sanlando granted Longwood an extension of time to Monday, June 6, 2005 to answer the First Set of Interrogatories and respond to the Second Request for Production of Documents.
4. Longwood did not answer the First Set of Interrogatories and respond to the Second Request for Production of Documents by close of business on Monday, June 6, 2005. Counsel for Sanlando wrote to Longwood on June 7, 2005, notifying them of Sanlando's

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

intention to file this Motion if Longwood failed to serve its responses to Sanlando's First Set of Interrogatories and Second Request for Production before 10:00 a.m. on Wednesday, June 8, 2005.

5. On June 9, 2005, because Longwood failed to serve its responses to Sanlando's First Set of Interrogatories and Second Request for Production, counsel for Sanlando filed a Motion for Order Compelling Discovery. In the meantime, counsel for Longwood wrote to counsel for Sanlando requesting an additional extension of time, to June 17, 2005, to respond to Sanlando's First Set of Interrogatories and Second Request for Production, which counsel for Sanlando granted. True and correct copies of the correspondence between such counsel is attached hereto as Exhibits "A" and "B".

6. On May 6, 2005, Sanlando served its Third Request for Production of Documents on Longwood. Longwood's responses were due on June 10, 2005.

7. It was not until early August, 2005, that Longwood finally responded to Sanlando's First Set of Interrogatories and Second and Third Requests for Production.

8. On October 14, 2005, Sanlando served its Second Set of Interrogatories and Fourth Request for Production of Documents on Longwood. Longwood's responses were due on November 18, 2005.

9. Longwood has neither objected to nor served any responses to Sanlando's Second Set of Interrogatories or Fourth Request for Production of Documents, which were due on November 18, 2005.

10. The information sought by Sanlando is necessary to determine substantial issues raised by Longwood in this matter. Among these issues are whether Sanlando or

Longwood has the right to serve the areas claimed by Longwood. Sanlando's discovery was directed specifically at those issues.

11. Sanlando requires responses to its Second Set of Interrogatories and its Fourth Requests for Production of Documents in order to give it a fair and reasonable opportunity to assess the nature and extent of Longwood's claims to serve the same areas and to respond to Longwood's objections to the Application.

11. Longwood's unreasonable delays in responding to Sanlando's First and Second Sets of Interrogatories, and its Second, Third and Fourth Requests for Production of Documents has prevented Sanlando from investigating the reasons why Longwood claims the right to serve the same areas, and preparing appropriate or structuring reasonable alternatives, all to its detriment.

12. Sanlando has been prejudiced, and will continue to be prejudiced, in the pursuit of its Application unless Longwood is required to provide meaningful responses to Sanlando's Second Set of Interrogatories and its Fourth Request for Production of Documents on a timely basis.

13. This Motion is necessary to preserve Sanlando's rights and protect it from further prejudice and harm due to Longwood's apparent indifference to the Florida Rules of Civil Procedure and this Commission's own rules regulating the conduct of proceedings properly before it.

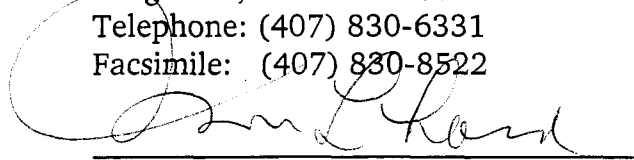
14. Longwood's failure to respond to Sanlando's legitimate discovery is without justification and an award of Sanlando's expenses will promote justice and the purpose and intention of Rule 1.380, Florida Rules of Civil Procedure. Pursuant to Rule 1.380(a)(4),

Sanlando is entitled to an award of its expenses, including attorneys' fees, incurred in obtaining the Order Compelling Discovery.

WHEREFORE, SANLANDO UTILITIES CORPORATION respectfully requests that this Court grant this Motion for Order Compelling Discovery and, after hearing, require the City of Longwood to pay Sanlando its expenses, including attorneys' fees, incurred in obtaining the Order.

Respectfully submitted on this 30th day of November, 2005.

ROSE, SUNDSTROM & BENTLEY, LLP  
Sanlando Center  
2180 W. State Road 434, Suite 2118  
Longwood, Florida 32779  
Telephone: (407) 830-6331  
Facsimile: (407) 830-8522



Martin S. Friedman, Esquire  
Florida Bar No. 0199060  
Valerie L. Lord, Esquire  
Florida Bar No. 0170989  
For the Firm

**CERTIFICATE OF SERVICE  
DOCKET NO. 040384-WS**

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Order Compelling Discovery has been furnished by U.S. Mail on the 30th day of November, 2005, to the following:

Jennifer Brubaker, Esq.  
Office of General Counsel  
Florida Public Service Commission  
Capitol Circle Office Center  
2540 Shumard Oak Blvd.  
Tallahassee Florida 32399-0850

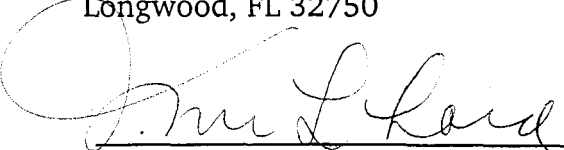
Richard S. Taylor, Esq.  
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Longwood FL 32779

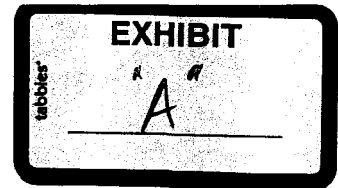
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\_\_\_\_\_  
VALERIE L. LORD

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RSTJRLAW@aol.com

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TELEPHONE: (407) 339-7888  
FAX: (407) 830-9540

June 10, 2005

**Via facsimile to: 407-830-8255**

Valerie L. Lord, Esquire  
Rose, Sundstrom & Bentley, LLP  
600 South North Lake Boulevard  
Suite 160  
Altamonte Springs, Florida 32701

RE: Sanlando Utilities Corporation/City of Longwood

Dear Ms. Lord:

Please excuse the delay in getting back with you, I called you but was put on hold and then received another call.

My paralegal advises that you are not willing to grant me an extension of time to respond to interrogatories beyond this past Monday. With mailing time I don't think they were even due by Monday.

My paralegal is out of the office this week and will be back on Monday, at which time we will complete the answers to interrogatories. I am requesting that you extend to me the professional courtesy of allowing us to get the interrogatories to you on or before Friday, June 17, 2005. I do not believe you will be prejudice by this since this matter will not be heard by the PSC until next year.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end.

Richard S. Taylor, Jr.

RST:rw

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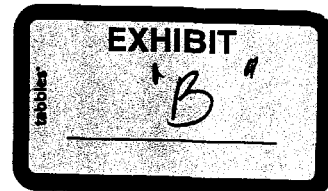
MARTIN S. FRIEDMAN, P.A.  
VALERIE L. LORD

REPLY TO ALTAMONTE SPRINGS

June 10, 2005

VIA FACSIMILE

Richard S. Taylor, Esq.  
531 Dog Track Road  
Longwood, FL 32752-1117

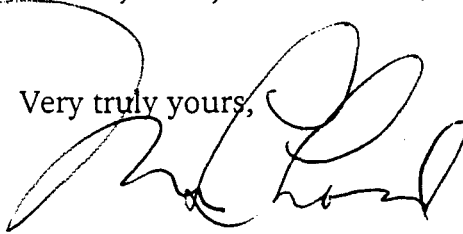


RE: Docket No. 040384-WS; Application of Sanlando Utilities Corporation for  
Amendment of Certificate 247-W and 189-S  
Our File No.: 30057.61

Dear Mr. Taylor:

Although we have filed a Motion for Order Compelling Discovery with the Commission, my client will allow you an extension of time until Friday, June 17, 2005, to comply with all discovery requests, including both the Second and Third Request for Production of Documents. Note that the First Set of Interrogatories and Second Request for Production of Documents were due last Friday, June 3, 2005, and the Third Request for Production of Documents was due today.

Very truly yours,

  
VALERIE L. LORD  
For the Firm

VLL/tlc

cc: Mr. Steven M. Lubertozzi  
Mr. Patrick C. Flynn  
Jennifer Brubaker, Esq.  
Susan E. Dietrich, Esq.