

Matilda Sanders

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Sent: Monday, September 18, 2006 2:23 PM
To: Filings@psc.state.fl.us
Cc: Joseph Richards; barmstrong@ngn-tally.com; Katherine Fleming; Jennifer Brubaker
Subject: 2nd Set of Interrogatories and Request for Production of Documents
Attachments: Interrogatories - second set.pdf; Request for Production-Second Set.pdf

ORIGINAL

Attached please find for filing:

Docket No. 030458-WU

1. Pasco County's Notice of Service of Second Interrogatories to Holiday Utility Company, Inc. – 6 pages
2. Second Request for Production of Documents to Holiday Utility Company, Inc. – 2 pages

Total number of document pages = 8 pages

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SEC 1 _____
OTH _____

N.O.S. 2nd Interrog
DOCUMENT NUMBER-DATE
08569 SEP 18 06

2nd Req BP
DOCUMENT NUMBER-DATE
08570 SEP 18 06

9/18/2006

FPSC-COMMISSION CLERK

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ORIGINAL

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for transfer of majority organizational control of Holiday Utility Company, Inc. in Pasco County to Holiday Waterworks Corporation and amendment of Certificate No. 224-W

DOCKET NO. 030458-WU
ORDER NO. PSC-06-0198-PCO-WU
ISSUED: MARCH 13, 2006

PASCO COUNTY'S
NOTICE OF SERVICE OF SECOND INTERROGATORIES
TO HOLIDAY UTILITY COMPANY, INC.

PASCO COUNTY, a political subdivision of the State of Florida, by and through its undersigned attorney, hereby propounds the following set of Second Interrogatories numbered 1 through 3 to Holiday Utility Company, Inc. Holiday Utility Company, Inc. must answer or object to each Interrogatory in writing within thirty (30) days after the date of service of said Interrogatories.

Certificate of Service

I HEREBY CERTIFY that I filed the foregoing Pasco County's Notice of Service of Second Interrogatories to Holiday Utility Company, Inc. electronically with the Florida Public Service Commission at filings@psc.state.fl.us and a true and correct copy of the foregoing was served via Electronic Mail and regular U.S. Mail upon Holiday Utility Company, Inc., c/o Brian P. Armstrong, Esquire, Nabors, Giblin & Nickerson, 1500 Mahan Drive, Suite 200, Tallahassee, FL 32308, barmstrong@ngn-tally.com and Katherine E. Fleming, Senior Attorney, keflemin@psc.state.fl.us and Jennifer Brubaker, Esquire, jbrubake@psc.state.fl.us, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399 keflemin@psc.state.fl.us, this 18 day of September, 2006.



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INSTRUCTIONS

1. In accordance with the provisions of Chapter 120, Florida Statutes, and the relevant provisions of Chapter 367, Florida Statutes, Rules 25-22 and 28-106, Florida Administrative Code and the Florida Rules of Civil Procedure (as applicable), Holiday Utility Company, Inc. is required to serve answers, in writing and under oath, to the attached interrogatories within thirty (30) days from service.

2. Holiday Utility Company, Inc. is required to serve separate and individual responses as indicated to these interrogatories.

3. In answering these interrogatories, Holiday Utility Company, is required to furnish all information, including hearsay, in its possession and in the possession of its attorneys, agents, representatives, employees, and all other persons acting on behalf of Holiday Utility Company, Inc.

4. Information supplied in the answers to these interrogatories shall reflect all information available to Holiday Utility Company, Inc., up to and including the date of service of Holiday Utility Company, Inc.'s answers to these interrogatories.

5. The term "you" or "your" means the party or parties to whom these interrogatories are addressed, including its divisions, departments, subsidiaries, affiliates, predecessors, present or former officers, directors, owners, agents, attorneys, and all other persons acting or purporting to act on its behalf, as well as each partnership in which it is a partner.

6. The term "witness" means any natural person, individual, proprietorship, partnership, corporation, association, organization, joint venture, firm, other business enterprise, governmental body, group of natural persons or other entity, including its divisions, departments, subsidiaries, affiliates, predecessors, present or former officers, directors, owners, agents, attorneys, and all other persons acting or purporting to act on its behalf, as well as each partnership in which it is a partner.

7. To "identify" a document means to state its date, its author, the type of document (e.g. letter, memorandum, telegram, chart, photograph, sound reproduction, video tape, etc.), or, if the preceding information is not available, some other means of identifying it, its present location, and the name of any present custodian of it. In lieu of identifying any document, a complete and accurate copy may be attached to the answers to these interrogatories.

8. The term "identify" when used with reference to a natural person means:
- a. The full name and address (or, if the current address is not known, the last known address) of the person.
 - b. The full name and address of each employer, each corporation of

which the person is an officer or director, and each business in which the person is a principal.

- c. The person's present (or, if the present is not known, the last known) position and the position or positions at the time of the act to which the interrogatory answer relates.
- d. Each position the person has ever held with you and the date such positions were held.
- e. Such other information sufficient to provide full identification of the person.

9. The term "identify" when used with reference to any entity other than a natural person means:

- a. The full name of the entity, the type of entity (e.g., corporation, partnership, etc.), the address of its principal place of business, its principal business activity and, if it is a corporation, the jurisdiction under the laws of which it has been organized and the date of such organization.
- b. Each of the entity's officers, directors, shareholder or other principals, along with the information to identify such natural persons.
- c. For a governmental body, the identity of all natural persons acting on behalf of the governmental body, along with the information to identify such natural persons.
- d. Any other available information concerning the existence or identity of the entity.

10. The term "document" means the original and copies, regardless of origin or location, of any writing or records of any type or description, including, but not limited to, the original and any copy of any letter, memorandum, telegram, report, record, interoffice, intraoffice, intercompany, or intracompany communication, handwritten or other note, tape recording, telephone call, video tape, or any other written, recorded, transcribed, filed, or graphic matter whether produced or reproduced to which you or any of your agents, attorneys, investigators, employees, independent contractors, or any other persons acting on your behalf, have or have had access.

11. If all the information furnished in answer to all or part of an interrogatory is not within the personal knowledge of the affiant, identify each person to whom all or part of

the information furnished is a matter of personal knowledge and each person who communicated to the affiant any part of the information furnished.

12. If the answer to all or any part of the interrogatory is not presently known or available include a statement to that effect, furnish the information known or available, and respond to the entire interrogatory by supplemental answer, in writing, under oath, within ten (10) days from the time the entire answer becomes known or available, and in no event, less than five (5) days prior to trial.

13. Whenever, in any answer to any interrogatory, a reference is made to one or more persons, specify by name, the particular person to whom reference is intended.

SECOND INTERROGATORIES TO HOLIDAY COMPANY UTILITY, INC.

1. Please explain the basis for the statement "Since the original receipt of a certificate of authority, Mickler, the Water Management District and the Department of Environmental Protection each have conducted their activities in a manner reflecting their respective beliefs that all of the land owned by Mickler, as described in the tariff, was included in Holiday's approved certificate of authority" and list all persons that have knowledge of the allegations in the statement and list all documents that support the statement.

2. Please explain the basis for the statement "the County Utilities Department has in the past acknowledged Holiday's right to provide water service to portions of the De Facto Service Area" and list all persons that have knowledge of the allegations in the statement and list all documents that support the statement.

3. Please list all persons you intend to call as witnesses at the hearing on this matter and briefly describe the subject of their testimony.

HOLIDAY UTILITY COMPANY, INC.

By: _____

Print Name

Its: _____

Title

STATE OF)
COUNTY OF)

On this _____ day of _____,
personally appeared before me, the undersigned authority,
_____, as _____ of HOLIDAY
UTILITY COMPANY, INC., who is personally known to me, or, who produced
_____ as identification who executed the
foregoing instrument and acknowledged that he/she has read the foregoing Answers to
First Interrogatories; that they are true and correct to the best of his/her knowledge and
belief; that he/she is authorized to execute said interrogatories on behalf of Plaintiff, and
that he/she executed same as his/her free act and deed.

Notary Public
My commission expires: