

ORIGINAL**Dorothy Menasco**

From: Marsha Rule [Marsha@reuphlaw.com]
Sent: Friday, April 20, 2007 4:40 PM
To: Filings@psc.state.fl.us
Cc: BURGESS.STEVE@leg.state.fl.us; REILLY.STEVE@leg.state.fl.us; Katherine Fleming; Rosanne Gervasi; Ralph Jaeger
Subject: Dkt. 060368 - AUF Objs to Staff Discovery
Attachments: Dkt 060368 - AUF Obj Staff Disc 04 20 2007.pdf

The full name, address, telephone number, and e-mail address of the person responsible for the electronic filing:

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The docket number and title of docket:

Docket No. 060368-WS

In re: Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc

The name of the parties on whose behalf the document is filed:

Aqua Utilities Florida, Inc.

The total number of pages in the attached document: 6

A brief but complete description of each attached document.

Cover letter and

Aqua Utilities Florida, Inc.'s Objections to Staff's Fourth Set of Interrogatories (Nos. 7-16) and Fifth Request for Production of Documents (Nos. 19-2)

DOCUMENT NUMBER-DATE

03390 APR 20 5

4/20/2007

FPSC-COMMISSION CLERK

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April 20, 2007

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JONATHAN M. COSTELLO
MARGARET A. MENDUNI

Ms. Ann Cole, Director
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 110
Tallahassee, Florida 32399-0850

Re: Docket No. 060368-WS
In re: Application for increase in water and wastewater rates in Alachua,
Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk,
Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua
Utilities Florida, Inc.

Dear Ms. Cole:

Attached to this electronic filing please find the following documents for filing on
behalf of Aqua Utilities, Florida, Inc., in the above-referenced docket:

Aqua Utilities Florida, Inc.'s Objections to Staff's Fourth Set of Interrogatories
(Nos. 7-16) and Fifth Request for Production of Documents (Nos. 19-20)

As always, thank you for your assistance with this filing and please do not
hesitate to contact me if you have any questions.

Sincerely,


Marsha E. Rule

MER/tc

DOCUMENT NUMBER-DATE

03390 APR 20 5

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April 20, 2007

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Cc:

Rosanne Gervasi, Esq.

Ralph Jaeger, Esq.

Katherine Fleming, Esq.

Stephen C. Reilly, Esq.

Steve Burgess, Esq.

Kathy L. Pape, Esq.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for increase in water and)
wastewater rates in Alachua, Brevard,)
Highlands, Lake, Lee, Marion, Orange,)
Palm Beach, Pasco, Polk, Putnam,)
Seminole, Sumter, Volusia, and Washington)
Counties by Aqua Utilities Florida, Inc.)
_____)

Docket No. 060368-WS

Filed: April 20, 2007

**AQUA UTILITIES FLORIDA, INC.'S OBJECTIONS
TO STAFF'S FOURTH SET OF INTERROGATORIES
(NOS. 7-16) AND FIFTH REQUEST FOR
PRODUCTION OF DOCUMENTS (NOS. 19-20)**

Aqua Utilities Florida, Inc. ("AUF"), by and through its undersigned counsel, and pursuant to Order No. PSC-07-0219-PCO-WS, hereby files its Objections to and Requests for Clarification of the Staff's Fourth Set of Interrogatories and Fifth Request for Production of Documents.

I. Preliminary Nature of These Objections

AUF's objections stated herein are preliminary in nature. AUF is furnishing its objections consistent with the time frames set forth in the Commission's Order Establishing Procedure, Order No. PSC-07-0219-PCO-WS, dated March 9, 2007, and Rule 1.190(e), Florida Rules of Civil Procedure. Should additional grounds for objection be discovered as AUF develops its responses, AUF reserves the right to supplement or modify its objections up to the time it serves its responses. Should AUF determine that a protective order is necessary regarding any of the information requested of AUF, AUF reserves the right to file a motion with the Commission seeking such an order at the time its responses are due.

II. General Objections and Reservation of Rights

1. Any response to an Interrogatory or Document Request is made without waiving or intending to waive, but on the contrary intending to preserve and preserving: (a) the right to object, on the grounds of competency, relevancy, materiality, privilege or admissibility as

evidence for any purpose, or any other ground, to the use of the Response or the subject thereof, in this or any subsequent or other proceeding; and (b) the right to object on any ground to other interrogatories, document requests, or other discovery proceedings involving or relating to the subject matter of the interrogatory.

2. AUF will make a reasonable effort to respond to each and every individual Interrogatory and Document Request that is not subject to a Specific Objection as AUF understands and interprets such Interrogatory. If Staff should assert an interpretation of any Interrogatory or Document Request that differs from AUF's, AUF reserves the right to supplement or amend its Specific Objections.

3. AUF objects to each and every one of the Interrogatories and Document Requests that calls for information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, the consulting expert privilege, third-party confidentiality agreements or protective order, or any other applicable privilege or protection afforded by law, whether such privilege or protection appears at the time the response is first made or is later determined to be applicable for any reasons. AUF in no way intends to waive such privilege or protection.

4. In certain circumstances, AUF may determine upon investigation and analysis that information responsive to certain interrogatories or document requests to which objections are not otherwise asserted are confidential and proprietary and should not be produced without provisions in place to protect the confidentiality of the information, if at all. By agreeing to provide such information in response to such request, AUF is not waiving its right to insist upon appropriate protection of confidentiality by means of a protective order or other action to protect the confidential information requested. AUF asserts its right to require such protection of any and all information and documents that may qualify for protection under the Florida Rules of Civil Procedure and other applicable statutes, rules and legal principles.

5. AUF objects to providing information that is proprietary, confidential business information without provisions in place to protect the confidentiality of the information. AUF in no way intends to waive claims of confidentiality.

6. AUF objects to providing information to the extent such information is already in the public record.

7. AUF objects to each Interrogatory and Document Request to the extent it is not limited to any stated period of time or a stated period of time that is longer than is relevant for purposes of the issues in this proceeding.

8. AUF expressly reserves and does not waive any and all objections it may have to the admissibility, authenticity or relevancy of the information provided pursuant to the Interrogatories and Document Requests.

9. AUF also objects to these discovery requests to the extent they call for AUF to prepare information in a particular format or perform calculations, studies or analyses not previously prepared or performed as purporting to expand AUF's objections under applicable law. Further, AUF objects to these interrogatories to the extent they purport to require AUF to conduct an analysis or create information not prepared by AUF in the normal course of business. AUF will comply with its obligations under the applicable rules of procedure.

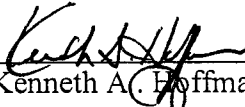
10. AUF reserves the right to supplement any of its responses to the Interrogatories and Document Requests if AUF cannot locate the answers immediately due to their magnitude and the work required to aggregate them, or if AUF later discovers additional responsive information in the course of this proceeding.

11. By making these General Objections at this time, AUF does not waive or relinquish its right to assert additional general and specific objections to the Interrogatories and Document Requests at the time AUF's response is due.

12. AUF objects to each Interrogatory and Document Request and to any and all "Definitions" and "Instructions" to the extent they exceed the requirements of the Florida Rules

of Civil Procedure or purport to expand AUF's obligations under applicable law or rules of procedure.

Respectfully submitted this 20th day of April, 2007.

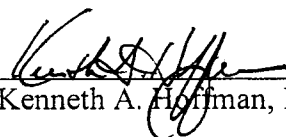

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by email and by U. S. Mail this 20th day of April, 2007 to the following:

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