

Matilda Sanders

From: Teri Choulat [Teri@reuphlaw.com]
Sent: Monday, July 02, 2007 4:41 PM
To: Filings@psc.state.fl.us
Cc: KLPape@aquaamerica.com; KMBurns@aquaamerica.com; burgess.steve@leg.state.fl.us; reilly.steve@leg.state.fl.us; Katherine Fleming; Rosanne Gervasi; Ralph Jaeger; Ken Hoffman; ROXANNE LEVINGSTON
Subject: Docket No. 060368-WS
Attachments: 7-AbObjstoStaffs7thROGsand8thPODs05312007.doc

ORIGINAL

Attached for filing on behalf of Aqua Utilities Florida, Inc. in 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. is:
Aqua Utilities Florida, Inc.'s Objections to Staff's Eighth Set of Interrogatories (Nos. 67-74).

The total number of pages being filed on behalf of Aqua is 4.

The person responsible for the electronic filing is:

MARSHA E. RULE
Rutledge, Ecenia, Purnell & Hoffman, P. A.
Post Office Box 551
Tallahassee, Florida 32302-0551
(850) 681-6788
marsha@reuphlaw.com

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FPSC-COMMISSION CLERK

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: July 2, 2007

**AQUA UTILITIES FLORIDA, INC.'S OBJECTIONS
TO STAFF'S EIGHTH SET OF INTERROGATORIES
(NOS. 67-74)**

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 Eight Set of Interrogatories.

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

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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 2nd day of July, 2007.

/s/ Marsha E. Rule

Kenneth A . Hoffman, Esquire
Marsha E. Rule, Esquire
Rutledge, Ecenia, Purnell & Hoffman, P.A.
P.O. Box 551
Tallahassee, Florida 32302 -0551
(850) 681- 6788 (Telephone)
(850) 681 - 6515 (Facsimile)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by email and U.S. Mail this 2nd day of July, 2007 to the following:

Stephen C. Reilly, Esq.
Steve Burgess, Esq.
Office of Public Counsel
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400

Rosanne Gervasi, Esq.
Ralph Jaeger, Esq.
Katherine Fleming, Esq.
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

/s/ Marsha E. Rule

Kenneth A. Hoffman, Esq.