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Sent: Friday, November 09, 2007 6:29 PM
To: Filings@psc.state.fl.us
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Subject: 070293-SU
Attachments: 070293SU Motion to Expedite.pdf

Electronic Filing

a. Person responsible for this electronic filing:

Steven C. Reilly, Associate Public Counsel
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b. Docket No. 070293-SU

In re: Application for increase in wastewater rates in Monroe County by KW Resort Utilities, Corp.

c. There are a total of 4 pages.

d. The document attached for electronic filing Motion to Expedite KW Resort Utilities Corp's Response to OPC's Third Set of Interrogatories and Document Requests.

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11/13/2007

DOCUMENT NUMBER-DATE
10235 NOV 13 5
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in
Wastewater rates in Monroe County
by KW Resort Utilities Corp.

Docket No. 070293-SU
November 9, 2007

CITIZENS' MOTION TO EXPEDITE KW RESORT UTILITIES CORP'S
RESPONSE TO OPC'S THIRD SET OF INTERROGATORIES
AND DOCUMENT REQUESTS

The Citizens by and through their undersigned counsel, hereby file this Motion to Expedite KW Resort Utilities Corporation's ("KWRU," "Utility," or "Company") Response to OPC's Third Set of Interrogatories and Document Requests and states as follows:

1. The Commission issued Order No. PSC-07-0851-PCO-SU on October 25, 2007, addressing discovery disputes and amending the procedural dates of this proceeding. In that Order the Company was ordered to produce responses to OPC's First Set of Interrogatories on or before October 26, 2007, with the exception of responses to Interrogatories 7(k) and 16, which are due on or before November 1, 2007; and the Company was ordered to state if information was not being provided because no such costs or charges exist.
2. The Office of Public Counsel received the Company's responses to its first set of Interrogatories and Document Requests November 6, 2007.

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3. The Office of Public Counsel received the Company's responses to its second set of Interrogatories and Document Requests November 7, 2007.
4. The Citizens' propounded its 3rd set of Interrogatories and Document Requests to the Company on November 9, 2007.
5. Pursuant to Third Order Revising Order Establishing Procedure; and Order Granting in Part and Denying in Part the Office Of Public Counsel's Motion to Compel and Request for Extension of Time to File Prefiled Direct Testimony, OPC is to file its testimony by December 10, 2007.
6. Normally, pursuant to Rule 1.340(a), Florida Rules of Civil Procedure, a response would be due within 30 days, or on December 10, 2007, the day OPC's testimony is due.
7. As OPC has encountered several discovery disputes thus far, OPC would like to request that the Company respond to its 3rd set of Interrogatories and Document Requests by November 30, 2007, in order to ensure the responses' arrival prior to filing its testimony.
8. Furthermore, OPC believes that shortening the Company's response time to the Citizens' 3rd set of discovery requests is not too onerous or burdensome on the Company since many of the requests are follow up to its responses to previous sets of discovery.

WHEREFORE, the Citizens request that the Prehearing Officer grant their request to expedite discovery, and that KWRU be required to file its responses to OPC's 3rd Set of Interrogatories and Document Requests no later than November 30, 2007.

Respectfully Submitted

s/Stephen C. Reilly
Stephen C. Reilly
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Attorney for the Citizens
of the State of Florida

CERTIFICATE OF SERVICE

DOCKET NO. 070293-WS

I HEREBY CERTIFY that a true and correct copy of the foregoing Citizens' Motion to Expedite KW Resort Utilities Corporation's ("KWRU," "Utility," or "Company") Response to OPC's Third Set of Interrogatories and Document Requests has been furnished by E-mail and by U. S. Mail to the following parties this 9th day of November 2007:

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Florida Public Service Commission
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s/Stephen C. Reilly
Stephen C. Reilly
Associate Public Counsel