

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.	Docket No. 100330-WS Dated: December 16, 2010
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**AQUA UTILITIES FLORIDA, INC.'S OBJECTIONS
TO OPC'S SECOND SET OF INTERROGATORIES AND
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

Aqua Utilities Florida, Inc. ("AUF"), pursuant to Florida Administrative Code Rule 28-106.206 and Rules 1.340 and 1.350, Florida Rules of Civil Procedure, serves its objections to the Second Set of Interrogatories ("ROGs") and Second Request for Production of Documents ("PODs") propounded by the Office of Public Counsel ("OPC") on November 16, 2010.

1. To date, AUF has already answered OPC's First Set of ROGs (consisting of over 208 interrogatories including subparts) and OPC's First PODs (consisting of 101 PODs including subparts). AUF formally objected to OPC's First Set of ROGs and OPC's First PODs because that discovery far exceeded the numeric limits for interrogatories set forth in Florida Administrative Code Rule 28-106.206 and the Florida Rules of Civil Procedure, was oppressive, unduly burdensome and would cause rate case expense to customers to increase dramatically. Notwithstanding those objections and in a good faith effort to be as accommodating to OPC as possible, AUF proceeded to provide OPC with answers to 208 ROGs and responses to 101 PODs. In so doing, AUF has produced over 16,000 pages of documents to OPC and expended significant time, energy and monies through the discovery process.

DOCUMENT NUMBER DATE

09988 DEC 16 2010

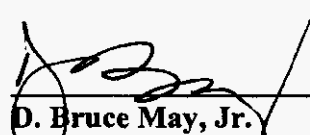
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2. Without leave of the Commission, OPC has now served AUF with an additional set of ROGs and PODs that exceed the numeric discovery limits under the rules and are oppressive and unduly burdensome. Thus far, the excessive discovery propounded by OPC has already caused rate case expense to customers to increase dramatically. Responding to this additional discovery will drive rate case expense even higher.

3. This case is being processed pursuant to the Commission's proposed agency action ("PAA") procedures that were designed by the Legislature to streamline rate case proceedings and minimize rate case expense to customers. The volume of discovery propounded thus far in this case by OPC is unprecedented in a PAA proceeding and eviscerates the Legislature's objectives to control rate case expense. AUF has an obligation to mitigate rate case expense that ultimately will be passed on to its customers. Therefore, AUF does not intend to respond to OPC's Second Set of ROGs and PODs until receiving further direction from the Commission.

Dated this 16th day of December, 2010.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished by electronic transmission and U.S. Mail this 16th day of December, 2010 to:

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