

Diamond Williams

From: Susan Sherman [Susan.Sherman@arlaw.com]
Sent: Monday, September 19, 2011 5:56 PM
To: Filings@psc.state.fl.us
Cc: D. Bruce May, Jr.; dbussey@hotmail.com; Kelly Sullivan, Esquire; KELLY.JR@leg.state.fl.us; kajoyce@aquaamerica.com; Patty Christensen (Christensen.patty@leg.state.fl.us); Robert Lloyd; William Coakley; David Bernstein; Kenneth Curtin
Subject: Aqua Utilities Florida, Inc. Rate Action (Dkt. No. 100330-WS) - RESPONSE TO REQUEST TO PRODUCE

Attachments: Yes - Responses to RTP Final.pdf

Electronic Filing

a. Person Responsible for this electronic filing:

David S. Bernstein, Esq.
Adams and Reese LLP
150 Second Avenue North, Suite 1700
St. Petersburg, Florida 33701
Direct: (727) 502-8215
E-Fax: (727) 502-8915
David.Bernstein@arlaw.com

b. Docket No. 100330-WS

In Re: Application for increase in water/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.

c. The document attached for electronic filing is YES Companies, LLC d/b/a Arredondo Farms', Objections and Responses to Applicant, Aqua Utilities Florida, Inc.'s, First Request to Produce.

d. There are a total of 20 pages

e. The document attached for electronic filing is YES Companies, LLC d/b/a Arredondo Farms', Notice of Filing Exhibit E to Objections and Responses to Applicant, Aqua Utilities Florida, Inc.'s, First Request to Produce.

Thank you for your cooperation and attention to this matter.

Susan G. Sherman, CP, FRP
Certified Paralegal
Adams and Reese LLP
150 Second Avenue North, Suite 1700
St. Petersburg, FL 33701
Direct: (727) 502-8243
E-Fax: (727) 502-8943
Main: (727) 502-8200
Fax: (727) 502-8282
Email: susan.sherman@arlaw.com
Web Site: www.adamsandreese.com

DOCUMENT NUMBER-DATE
06771 SEP 20 =
FPSC-COMMISSION CLERK

ADAMS AND REESE LLP

Baton Rouge | Birmingham | Houston | Jackson | Memphis | Mobile | Nashville | New Orleans | Sarasota | St. Petersburg | Tampa | Washington, D.C.

The contents of this e-mail and its attachments are intended solely for the addressee(s). In addition, this e-mail transmission may be confidential and it may be subject to privilege protecting communications between attorneys and their clients. If you are not the named addressee, or if this message has been addressed to you in error, you are directed not to read, disclose, reproduce, distribute, disseminate or otherwise use this transmission. Delivery of this message to any person other than the intended recipient(s) is not intended in any way to waive privilege or confidentiality. If you have received this transmission in error, please alert the sender by reply e-mail. Treasury Circular 230 requires that we inform you that any statements regarding tax matters made herein, including attachments, cannot be relied upon for the purpose of avoiding tax penalties, and such statements are not intended to be used or referred to in any marketing or promotional materials. Additionally, Adams and Reese LLP does not and will not impose any limitation on the disclosure of the tax treatment or tax structure of any transactions to which such statements relate.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in water/wastewater Rates in DOCKET NO. 100330-WS
Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee Marion,
Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Filed: September 19, 2011
Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

**INTERVENER, YES COMMUNITIES, INC. D/B/A
ARREDONDO FARMS', OBJECTIONS AND RESPONSES TO APPLICANT, AQUA
UTILITIES FLORIDA, INC.'S, FIRST REQUEST TO PRODUCE**

Intervener, Yes Communities, Inc. d/b/a Arredondo Farms ("Yes"), by and through its undersigned counsel files this its Objections and Responses to Applicant, Aqua Utilities of Florida, Inc.'s ("Aqua"), First Request to Produce dated August 19, 2011 and states:

GENERAL OBJECTIONS

1. Yes objects to the Request for Production to the extent that it may be read to seek documents that are immune from discovery under the attorney/client privilege, the attorney work product doctrine, or otherwise privileged and protected from disclosure.

2. Yes will answer the Request for Production without admitting relevancy, materiality, or admissibility of any document and all objections to the use of these documents at the Final Hearing in this matter or otherwise in accordance with the Rules of Evidence, Rule 1.340(b), Fla.R.Civ.P., and Local Rules, and any other rules and regulations are hereby expressly preserved.

3. Yes objects to each definition and instruction contained in the Request for Production to the extent that the documents or information are not required to be provided under Florida Rules of Civil Procedure, the Florida Rules of Evidence, the Local Rules of this Court, any other applicable rules or regulations, and to the extent that they vary from those rules.

SPECIFIC RESPONSES AND OBJECTIONS

1. All documents identified in or pertaining to the YES' responses to AUF's First Set of Interrogatories (nos. 1-48) to YES.

RESPONSE: Yes objects to this request on the basis of the attorney-client and work product privileges in that identifying those documents which Yes believes relates to or tends to support or conflict with an answer to these interrogatories will reveal the mental impressions and beliefs of counsel for Yes as to what documents may or may not support or conflict with relevant and germane issues in this case. However, without waiving these objections, Yes states that all such documents responsive to this interrogatory except correspondence by and between counsel and Yes have or will be produced in response to Aqua's remaining requests in its First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the September 12, 2011 public hearing in this Rate Action at the Public Health Department Auditorium in Gainesville, Florida pursuant to that certain notice propounded by the Public Service Commission on or about August 22, 2011 (the "Gainesville Hearing"), or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition to Aqua's Rate Increase Application filed on or about April 11, 2011 (the "Memorandum in Opposition"), or documents which were introduced or referenced at the public hearing held in Tallahassee, Florida on May 24, 2011 (the "Tallahassee Hearing"), may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

2. All documents that you intend to introduce into evidence rely on at the hearing in this proceeding.

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

3. All letters of engagement, contracts or agreements, and all other records relative to such letters, contracts or agreements, between YES and YES' experts, witnesses and consultants in this proceeding.

RESPONSE: To the extent that this request requests documents with experts and consultants retained by Yes which are not expected to testify at the Final Hearing on this matter, Yes objects to this request in that the disclosure of non-testifying retained experts and consultants is protected pursuant to Rule 1.280(b)(4)(B), Fla.R.Civ.P., unless Aqua can demonstrate exceptional circumstances under which it is impracticable for the Aqua to obtain facts or opinions on the same subject by other means. Aqua has not alleged and cannot allege nor prove such exceptional circumstances. *See also Carrero v. Engle Homes, Inc.*, 667 So.2d 1011, 1012 (Fla. 4th DCA 1996); *Myron by and through Brock v. Doctors General, Ltd.*, 573 So.2d 34 (Fla. 4th DCA 1990). To the extent that this request is directed to experts and consultants retained by Yes which are expected to testify at the Final Hearing, Yes states that it has none such documents in its custody, care, or control. To the extent that such request is directed to possible fact witnesses and does not concern direct correspondence between Yes and its counsel, all documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

4. All workpapers, source documents, and other documents relied upon or created by all experts, consultants and witnesses to be offered by YES in this proceeding that relate to this proceeding.

RESPONSE: None as to any experts and consultants. As to any potential witnesses, all documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

5. All documents (including, but not limited to, workpapers, source documents, calculations, spreadsheets with all links to intact and correspondence) relied upon by YES, its experts, consultants or witnesses to determine the propriety of YES's Cross-Petition prior to filing the Cross-Petition on July 11, 2011.

RESPONSE: None as to any experts and consultants. As to any potential witnesses, all documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action,

including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

6. All documents (including, but not limited to, workpapers, source documents, calculations, spreadsheets with all links intact and correspondence) that support Yes's Cross-Petition.

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the September 12, 2011 public hearing in this Rate Action at the Public Health Department Auditorium in Gainesville, Florida pursuant to that certain notice propounded by the Public Service Commission on or about August 22, 2011 (the "Gainesville Hearing"), or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition to Aqua's Rate Increase Application filed on or about April 11, 2011 (the "Memorandum in Opposition"), or documents which were introduced or referenced at the public hearing held in Tallahassee, Florida on May 24, 2011 (the "Tallahassee Hearing"), may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

7. All documents (including, but not limited to, workpapers, source documents, calculations, spreadsheets with all links intact and correspondence) on which YES, its experts, consultants or witnesses relied to determine the potential financial impact on ratepayers as a result of YES's Cross-Petition.

RESPONSE: To the extent that this request requests documents with experts and consultants retained by Yes which are not expected to testify at the Final Hearing on this matter, Yes objects to this request in that the disclosure of non-testifying retained experts and consultants is protected pursuant to Rule 1.280(b)(4)(B), Fla.R.Civ.P., unless Aqua can demonstrate exceptional circumstances under which it is impracticable for the Aqua to obtain facts or opinions on the same subject by other means. Aqua has not alleged and cannot allege nor prove such exceptional circumstances. *See also Carrero v. Engle Homes, Inc.*, 667 So.2d 1011, 1012 (Fla. 4th DCA 1996); *Myron by and through Brock v. Doctors General, Ltd.*, 573 So.2d 34 (Fla. 4th DCA 1990). To the extent that this request is directed to experts and consultants retained by Yes which are expected to testify at the Final Hearing, Yes states that it has none such documents in its custody, care, or control. To the extent that such request is directed to possible fact witnesses and does not concern direct correspondence between Yes and its counsel, all documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce.

Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

8. All documents (including, but not limited to, correspondence, e-mail communications, the telephone logs) reflecting communications between YES and its experts, consultants or witnesses in this proceeding that refer or relate to this proceeding.

RESPONSE: To the extent that this request requests documents with experts and consultants retained by Yes which are not expected to testify at the Final Hearing on this matter, Yes objects to this request in that the disclosure of non-testifying retained experts and consultants is protected pursuant to Rule 1.280(b)(4)(B), Fla.R.Civ.P., unless Aqua can demonstrate exceptional circumstances under which it is impracticable for the Aqua to obtain facts or opinions on the same subject by other means. Aqua has not alleged and cannot allege nor prove such exceptional circumstances. *See also Carrero v. Engle Homes, Inc.*, 667 So.2d 1011, 1012 (Fla. 4th DCA 1996); *Myron by and through Brock v. Doctors General, Ltd.*, 573 So.2d 34 (Fla. 4th DCA 1990). To the extent that this request is directed to experts and consultants retained by Yes which are expected to testify at the Final Hearing, Yes states that it has none such documents in its custody, care, or control. To the extent that such request is directed to possible fact witnesses and does not concern direct correspondence between Yes and its counsel, all documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce.

9. All documents (including, but not limited to, correspondence, e-mail communication, and telephone logs) reflecting communications that refer or relate to AUF between YES (including its experts, consultants and witnesses) and:

- a. Representatives of Pasco County, Florida (including, but not limited to, Commissioner Jack Mariano or his staff).
- b. Mr. Nathan Skop.
- c. Ms. Nancy Argenziano.
- d. Mr. Frank Reams.
- e. Mr. David Bussey.
- f. Ms. Kelly Sullivan.

- g. Ms. Lucy Wambsgan.
- h. The Office of Public Counsel, J.R. Kelley or any employees, agents or representatives of the Office of Public Counsel.
- i. Senator Mike Fasano or any employee, agent or representative of Senator Fasano's Office.
- j. Representative John Legg or any employee, agent or representative of Representative John Legg's office.
- k. The Office of the Governor of Florida or any employee, agent or representative of the Governor's office.
- l. Representative Will Weatherford or any employee, agent or representative of Representative Weatherford's office.
- m. Representative Jason Brodeur or any employee, agent or representative of Representative Brodeur's office.
- n. Senator Alan Hayes or any employee, agent or representative of Senator Hayes' office.
- o. Any member of the Florida Legislature or its staff (including, but not limited to, Cochran Keating and Lucrecia Collins).
- p. Any member of FlowFlorida.
- q. Florida Governmental Utility Authority ("FGUA") or any of its employees, agents or representatives.
- r. The Florida Department of Environmental Protection ("FDEP") or any of its employees, agents or representatives.
- s. Mr. Brian Armstrong and/or Mr. Bill Garvin or any employees, agents or representatives of Nabors, Giblin & Nickerson, P.A.
- t. Any reporters at any newspaper or magazines in Florida.
- u. Any reporters at any television or cable station in Florida.
- v. Mr. William Coakley.

RESPONSE:

- a. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.

- b. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- c. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- d. All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce
- e. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- f. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- g. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- h. All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- i. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- j. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- k. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- l. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- m. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- n. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- o. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- p. All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses

and Objections to Aqua's First Request to Produce None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.

- q. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- r. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- s. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.
- t. None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.

10. All documents (including, but not limited to, correspondence, e-mail communications, and telephone logs) relating to efforts by Pasco County, any agent of Pasco County, or any Pasco County Commissioner to impact the FPSC's decision in this proceeding, including, but not limited to, efforts to reduce AUF's return on equity, organize bus transportation for customers to attend hearings in this proceeding, or encourage sale or acquisition of AUF's systems.

RESPONSE: None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.

11. All documents including, but not limited to, correspondence, e-mail communications, and telephone logs reflecting communication between YES, its consultants, or witnesses and AUF customers relating to AUF's rate structure.

RESPONSE: To the extent that this request requests documents with consultants retained by Yes which are not expected to testify at the Final Hearing on this matter, Yes objects to this request in that the disclosure of non-testifying retained consultants is protected pursuant to Rule 1.280(b)(4)(B), Fla.R.Civ.P., unless Aqua can demonstrate exceptional circumstances under which it is impracticable for the Aqua to obtain facts or opinions on the same subject by other means. Aqua has not alleged and cannot allege nor prove such exceptional circumstances. *See also Carrero v. Engle Homes, Inc.*, 667 So.2d 1011, 1012 (Fla. 4th DCA 1996); *Myron by and through Brock v. Doctors General, Ltd.*, 573 So.2d 34 (Fla. 4th DCA 1990). To the extent that this request is directed to consultants retained by Yes which are expected to testify at the Final Hearing, Yes states that it has none such documents in its custody, care, or control. To the extent that such request is directed to possible fact witnesses and does not concern direct correspondence between Yes and its counsel, all documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce.

12. All documents (including, but not limited to, correspondence, e-mail communications, and telephone logs) reflecting communications between YES and AUF since January 1, 2008.

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce.

13. All documents (including, but not limited to, correspondence, e-mail communications, and telephone logs) reflecting communications between YES and FPSC since January 1, 2008.

RESPONSE: None, other than emails, pleadings, and other documents exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua.

14. All documents or records referred to, consulted, relied upon or examined in preparing the answers to AUF's First Set of Interrogatories to YES served on August 19, 2011 ("Interrogatories"), or which relate to, support or conflict with any answer to those Interrogatories.

RESPONSE: Yes objects to this request on the basis of the attorney-client and work product privileges in that identifying those documents which Yes believes relates to or tends to support or conflict with an answer to these interrogatories will reveal the mental impressions and beliefs of counsel for Yes as to what documents may or may not support or conflict with relevant and germane issues in this case. However, without waiving these objections, Yes states that all such documents responsive to this interrogatory except correspondence by and between counsel and Yes have or will be produced in response to Aqua's remaining requests in its First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

15. All documents, depositions, exhibits and/or tangible items supplied to each expert, consultant or witness in connection with this action.

RESPONSE: To the extent that this request requests documents with consultants retained by Yes which are not expected to testify at the Final Hearing on this matter, Yes objects to this request in that the disclosure of non-testifying retained consultants is protected pursuant to Rule 1.280(b)(4)(B), Fla.R.Civ.P., unless Aqua can demonstrate exceptional circumstances under which it is impracticable for the Aqua to obtain facts or opinions on the same subject by other means. Aqua has not alleged and cannot allege nor prove such exceptional circumstances. *See also Carrero v. Engle Homes, Inc.*, 667 So.2d 1011, 1012 (Fla. 4th DCA 1996); *Myron by and through Brock v. Doctors General, Ltd.*,

573 So.2d 34 (Fla. 4th DCA 1990). To the extent that this request is directed to consultants retained by Yes which are expected to testify at the Final Hearing, Yes states that it has none such documents in its custody, care, or control. To the extent that such request is directed to possible fact witnesses and does not concern direct correspondence between Yes and its counsel, all documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

16. All documents, depositions, exhibits and tangible items reviewed by each expert, consultant or witness in connection with this action and, to the extent not reviewed in their entirety, the portion or portions of the document, deposition, exhibit and/or tangible thing actually reviewed.

RESPONSE: To the extent that this request requests documents with consultants retained by Yes which are not expected to testify at the Final Hearing on this matter, Yes objects to this request in that the disclosure of non-testifying retained consultants is protected pursuant to Rule 1.280(b)(4)(B), Fla.R.Civ.P., unless Aqua can demonstrate exceptional circumstances under which it is impracticable for the Aqua to obtain facts or opinions on the same subject by other means. Aqua has not alleged and cannot allege nor prove such exceptional circumstances. *See also Carrero v. Engle Homes, Inc.*, 667 So.2d 1011, 1012 (Fla. 4th DCA 1996); *Myron by and through Brock v. Doctors General, Ltd.*, 573 So.2d 34 (Fla. 4th DCA 1990). To the extent that this request is directed to consultants retained by Yes which are expected to testify at the Final Hearing, Yes states that it has none such documents in its custody, care, or control. To the extent that such request is directed to possible fact witnesses and does not concern direct correspondence between Yes and its counsel, all documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

17. All documents, depositions, exhibits and tangible items used by each expert, consultant or witness in reaching any opinion in connection with this action and, to extent not used in their entirety, the portion or portions of the document, deposition, exhibit and/or tangible thing actually used in reaching any opinion.

RESPONSE: To the extent that this request requests documents with consultants retained by Yes which are not expected to testify at the Final Hearing on this matter, Yes objects to this request in that the disclosure of non-testifying retained consultants is protected pursuant to Rule 1.280(b)(4)(B), Fla.R.Civ.P., unless Aqua can demonstrate exceptional circumstances under which it is impracticable for the Aqua to obtain facts or opinions on the same subject by other means. Aqua has not alleged and cannot allege nor prove such exceptional circumstances. *See also Carrero v. Engle Homes, Inc.*, 667 So.2d 1011, 1012 (Fla. 4th DCA 1996); *Myron by and through Brock v. Doctors General, Ltd.*, 573 So.2d 34 (Fla. 4th DCA 1990). To the extent that this request is directed to consultants retained by Yes which are expected to testify at the Final Hearing, Yes states that it has none such documents in its custody, care, or control. To the extent that such request is directed to possible fact witnesses and does not concern direct correspondence between Yes and its counsel, all documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

18. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF's "quality of service should be downgraded to unsatisfactory."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

19. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF's "return on equity ('ROE') should be diminished by 100 basis points, rather than merely 25 basis points, regardless of whether the finding of quality is reduced from marginal to unsatisfactory."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the

Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

20. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has "poor service and product."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

21. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has "poor to unsatisfactory potable water quality."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

22. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has "excessive leaks."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the

Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

23. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has had a “failure to adequately address” such “excessive “leaks.”

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua’s First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes’s Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

24. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has “excessive billing errors.”

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua’s First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes’s Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

25. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has had a “Failure to adequately address” such “excessive billing errors.”

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua’s First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes’s Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

26. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has had a “general overall failure of quality service such as flushing of wells.”

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua’s First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes’s Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

27. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has had a “general overall failure of quality service such as . . . water shut off without notice.”

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua’s First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes’s Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

28. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has had a “general overall failure of quality service such as . . . inadequate customer service.”

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua’s First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes’s Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

29. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has “high cost” rates.

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

30. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has "low water quality."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

31. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that Auf has "inferior service."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

32. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that "the quality of service and product provided by Aqua at the Community is not similar to either the local community or to other water and wastewater systems maintained by Aqua."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced

and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

33. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that the rate charges approved by the PAA Order are "unaffordable."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

34. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that "the net operating income ('NOI'), rate base, and revenue requirements approved in the PAA Order are overstated."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

35. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that "the NOI, rate base, and revenue requirements set in the PAA Order are based, in part, on income lost and expenses which are overstated and inflated due to [AUF]'s own failures . . ."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the

Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

36. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that "failures" to address "such issues as excessive leaks, billing errors, and . . . quality [of] customer service" have "cause[d AUF] to loose [sic] income and increase its bad debt due to rate payers."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

37. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that "failures" to address "such issues as excessive leaks, billing errors, and . . . quality [of] customer service" have "disenfranchised" customers, causing them to "leave the communities serviced by [AUF]."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

38. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that "failures" to address "such issues as excessive leaks, billing errors, and . . . quality [of] customer service" have "disenfranchised" customers, causing them to "leave the . . . [YES] Community."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced

and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

39. All documents, assumptions, calculations and evidence on which YES relies to support the allegation in its Cross-Petition that AUF has "inadequate business performance."

RESPONSE: All documents responsive to this Request within the custody, care, or control of Yes are being produced simultaneously with these Responses and Objections to Aqua's First Request to Produce. Moreover, certain documents and exhibits referenced and introduced at the Gainesville Hearing, or documents that were referenced at the Gainesville Hearing but will be filed once copies are obtained, or documents that were attached to or incorporated in Yes's Memorandum in Opposition, or documents which were introduced or referenced at Tallahassee Hearing, may also be relevant to this request and either will be or have been exchanged in this Rate Action amongst all parties to the Rate Action, including Aqua. Additionally, Yes reserves the right to supplement this response by filing additional documents in this Rate Action.

40. Please refer to page 5 of YES's Cross-Petition and provide:

- a. All documents, assumptions, calculations, and evidence on which YES relies to assert the used and useful (U&U) percentages for the water treatment plant for Arrendondo Estate and Arrendondo Farms where inappropriately determined by the FPSC.
- b. All documents, assumptions, calculations, and evidence on which YES relies to assert the U&U percentages for the water distribution systems at Arrendondo Estates and Arrendondo Farms were inappropriately determined by the FPSC.
- c. All documents, assumptions, calculations, and evidence on which YES relies to assert the U&U percentages for the wastewater treatment plant for Arrendondo Estates and Arrendondo Farms were inappropriately determined by the FPSC.
- d. All documents, assumptions, calculations and evidence which show the dollar effect that YES's U&U proposals would have on AUF's revenues based on the rate base and revenue requirements approved in the PAA Order.

RESPONSE: None in the custody, care, or control of Yes. Yes will rely upon Office of Public Counsel in regards to the issues identified in this request

41. All documents which YES reviewed during the course of its due diligence and analysis of the Arrendondo Farms Mobile Home Park (“Arrendondo Farms”) prior to acquiring Arrendondo Farms.

RESPONSE: Yes objects to this request due to the fact that the request requests information that is irrelevant and immaterial or are not likely to lead to relevant and admissible evidence at this time. Furthermore, the request requests information that is protected by the attorney-client, work product privilege, and trade secret privileges. Moreover, the request is overbroad and burdensome

42. All documents that support all adjustments YES proposes to make to AUF’s test year revenues, rate base and expenses by system, including but not limited to, accounting records, memoranda, workpapers, studies undertaken, and calculations.

RESPONSE: None in the custody, care, or control of Yes. Yes will rely upon Office of Public Counsel in regards to the issues identified in this request

43. All documents that refer or relate in any way to attempts by AUF (sic) to acquire other water or wastewater utilities in Florida.

RESPONSE: Yes objects to this interrogatory due to the fact that the interrogatory requests information that is irrelevant and immaterial or are not likely to lead to relevant and admissible evidence at this time. Furthermore, the Interrogatory request information that is protected by the attorney-client, work product privilege, and trade secret privileges. Moreover, the interrogatory is overbroad and burdensome. Yes will state that it has never attempted to acquire a water or wastewater utility in Florida solely on its own, but rather has only inquired into acquiring such water or wastewater utilities when Yes was also inquiring into acquiring the properties which are served by those utilities. Yes is not in the business of acquiring utilities.

Respectfully submitted,

ADAMS AND REESE, LLP
Andrew J. McBride, Esquire
David S. Bernstein, Esquire.
150 Second Avenue North, Suite 1700
St. Petersburg, Florida 33701
Direct: (727) 502-8200
E-Fax: (727) 502-8282
Andrew.McBride@arlaw.com

By: s/ Andrew J. McBride
Andrew J. McBride
FL Bar No. 0067973
David S. Bernstein, Esquire.
FL Bar No. 454400
Attorneys for Intervener

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished via email (where provided below) and U.S. Mail on September 19, 2011 to: **Kimberley A. Joyce, Esq.**, Aqua American, Inc., 762 West Lancaster Avenue, Bryn Mawr, PA 19010 (kajoyce@aquaamerica.com); **D. Bruce May, Jr., Esq.**, P.O. Box 810, Tallahassee, Florida 32302-0810 (bruce.may@hkllaw.com); **J.R. Kelly, Esq. and Patty Christensen, Esq.**, Office of Public Counsel, c/o Florida Legislature, 111 W. Madison Street, Room 812, Tallahassee, Florida 32399-1400 (KELLY.JR@leg.state.fl.us) and CHRISTENSEN.PATTY@leg.state.fl.us ; **Robert Lloyd**, P.O. Box 63, Captiva, Florida 33924 (Rlloyd1@aol.com); **William Coakley**, 5934 Lake Osborne Drive, Lantana, Florida 33461 (wco@comcast.net); **David L. Bussey**, 4948 Britni Way, Zephyrhills, Florida 33541 (dbussey@hotmail.com); **Kelly Sullivan, Esquire**, 570 Osprey Lakes Circle, Chuluota, Florida 32766-6658 (Kelly.Sullivan.Woods@gmail.com); **Ralph Jaeger**, Florida Public Service Commission, 2540 Shummard Oak Blvd., Tallahassee, Florida 32399-0850 (RJaeger@Psc.State.fl.us); **Joseph D. Richards, Esquire**, Pasco County Attorney's Office, 8731 Citizens Drive, Suite 340, New Port Richey, Florida 34654 (jrichards@pascocountyfl.net)

s/ Andrew J. McBride
Attorney