

**Diamond Williams**

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**From:** DAVIS.PHYLLIS [DAVIS.PHYLLIS@leg.state.fl.us]  
**Sent:** Tuesday, September 27, 2011 4:28 PM  
**To:** DAVIS.PHYLLIS; Filings@psc.state.fl.us  
**Cc:** Lisa Bennett; 'rturner102@cfl.rr.com'; 'dsmith32897@cfl.rr.com'; 'flashpta10@aol.com'; 'millicentmallon@earthlink.net'; 'utilityconsultant@yahoo.com'; 'joes1942@yahoo.com'; 'dgreco@utilitytechnicians.com'; 'terry99wi@aol.com'; REILLY.STEVE  
**Subject:** 080562-WU Electronic Filing  
**Attachments:** OPC's Specific Objections to East Marion's Request for POD's to Millicent Mallondocx.pdf  
Electronic Filing

a. Person responsible for this electronic filing:

Stephen C. Reilly, Associate Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
(850) 488-9330  
[Reilly.steve@leg.state.fl.us](mailto:Reilly.steve@leg.state.fl.us)

b. Docket No. 080562-WU

In re: Request for approval of amendment to connection/transfer sheets, increase in returned check charge, amendment to miscellaneous service charges, increase in meter installation charges, and imposition of new tap-in fee, in Marion County, by East Marion Sanitary Systems, Inc.

c. Document being filed on behalf of Office of Public Counsel.

d. There are a total of 4 pages.

e. The document attached for electronic filing is **OPC's Specific Objections to East Marion Sanitary Systems, Inc.'s First Request for Production of Documents to Millicent Mallon**

Thank you for your attention and cooperation to this request.

Phyllis W. Philip-Guide  
Assistant to Stephen C. Reilly  
Associate Public Counsel.  
Office of Public Counsel  
Telephone: (850) 488-9330  
Fax: (850) 488-4491

DOCUMENT NUMBER-DATE

06987 SEP 27 =

9/27/2011

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Request for approval of amendment to connection/transfer sheets, increase in returned check charge, amendment to miscellaneous service charges, increase in meter installation charges, and imposition of new tap-in fee, in Marion County, by East Marion Sanitary Systems, Inc.

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Docket No. 080562-WU

Filed: September 27, 2011

**OPC'S SPECIFIC OBJECTIONS TO EAST MARION SANITARY SYSTEMS, INC.'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO MILLICENT MALLON**

Pursuant to Order Establishing Procedure as Revised, and Rules of Civil Procedure, the Office of Public Counsel ("OPC") objects to East Marion Sanitary Systems, Inc's ("East Marion", "Utility" or "Company") First Request for Production of Documents to Millicent Mallon as follows:

1. Please provide documentation as to when and where your husband's letter to the Utility was mailed from and to what address it was mailed to.

OPC objects to Request No. 1 as being untimely served. On Saturday, September 17, 2011, East Marion served, by facsimile transmission, its Production of Documents Request to Millicent Mallon. The original Order Establishing Procedure ("Original Order") for East Marion's protest of a portion of the Commission's Order No. PSC-09-0263-TRF-WU, was issued on November 10, 2009. As provided by the Original Order, East Marion could have propounded its First Set of Interrogatories or Requests for Production of Documents beginning on November 10, 2009. Except for the period of time this proceeding was abated by Commission Order No. PSC-10-294-PCO-WU, issued on May 7, 2010, until the abatement ended with the issuance of the Third Order Revising Order Establishing Procedure, ("Third Order") on June 23, 2011, East Marion

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FPSC-COMMISSION CLERK

has had approximately 9 months to conduct discovery on the parties of this proceeding. Rather than taking advantage of the extensive time to conduct discovery, East Marion chose to submit its First Request for Production of Documents on Intervenor Millicent Mallon on the Saturday before the Monday, which was the last day for **completion** of all discovery, as provided by the Third Order. OPC objects to this request, because it is untimely.

2. Provide any proof of mailing or certificate to mailing.

OPC objects to Request No. 2, because it is untimely. See OPC objection to Request No. 1.

3. Provide any documentation that you have to show any contact with the Utility regarding your request for an irrigation meter.

OPC objects to Request No. 3, because it is untimely. See OPC objection to Request No. 1.

4. Provide any and all phone bills, phone records from any phone company to verify any attempt you or your husband may have made to contact the Utility regarding your request for any irrigation meter.

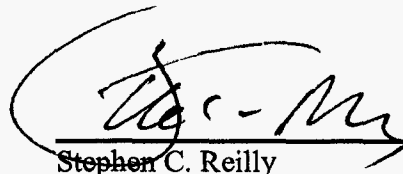
OPC objects to Request No. 4, because it is untimely. See OPC objection to Request No. 1.

5. Provide any and all records showing your contact or complaints to the Florida PSC regarding your irrigation meter request prior to May 15, 2009.

OPC objects to Request No. 5, because it is untimely. See OPC objection to Request No. 1.

6. Provide 3 separate official documents with your husband's signature.

OPC objects to Request No. 6, because it is untimely. See OPC objection to Request No. 1.

A handwritten signature in black ink, appearing to read "Stephen C. Reilly", is written over a horizontal line. The signature is stylized and somewhat cursive.

Stephen C. Reilly  
Associate Public Counsel

Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400

Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 080562-WU**

I HEREBY CERTIFY that a true and correct copy of the foregoing OPC's Specific Objections to East Marion's Request for Production of Documents to Millicent Mallon has been furnished by U.S. Mail and electronic mail to parties who have provided e-mail addresses, on this 27th day of September, 2011.

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Stephen C. Reilly  
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