

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 150071-SU

**K W RESORT UTILITIES CORP.'S MOTION FOR LEAVE TO SERVE
INTERROGATORIES IN EXCESS OF THE 30 INTERROGATORIES ALLOWED
PURSUANT TO FLA. R. CIV. P. 1.340(a)**

K W RESORT UTILITIES CORP. (the *Utility*), by and through its undersigned attorneys and pursuant to Rule 28-106.206 F.A.C. and Rule 1.340(a), Fla. R. Civ. P., and as grounds therefore states as follows:

1. Petitioners filed their initial Petitions in this matter where each raised numerous issues and questions that are to be addressed by this matter.
2. More specifically, Petitioner Citizens of the State of Florida raised thirty (30) "issues" in addition to other claims and Petitioner Monroe County raised at least forty-three (43) issues of material fact in addition to other claims.
3. In order to limit the expense, attorneys' fees, and duration of discovery, it is necessary to serve interrogatories in excess of the thirty (30) allowed pursuant to Fla. R. Civ. P. 1.340(a)
4. In the interest of justice and in order to facilitate expedited, yet reasonable, discovery, undersigned counsel suggests the need for and thus requests leave to serve up to seventy-five (75) interrogatories to each Petitioner. Undersigned would further suggest that all parties in this matter be afforded the opportunity to serve seventy-five (75) interrogatories.

5. There is no prejudice to the Petitioners as discovery is ongoing and the matter is not presently set for trial.

WHEREFORE, K W RESORT UTILITIES CORP. respectfully requests that this Motion for Leave to Serve Interrogatories in Excess of the Thirty (30) allowed pursuant to Fla. R. Civ. P. 1.340(a) be granted.

CERTIFICATE OF SERVICE
DOCKET NO. 150071-SU

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by E-mail to the following parties this 5th day of May, 2016:

Erik L. Sayler, Esquire
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400
SAYLER.ERIK@leg.state.fl.us

Martha Barrera, Esquire
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
mbarrera@psc.state.fl.us

Robert Scheffel Wright, Esquire
John T. LatVia, III, Esquire
Gardner, Bist, Bowden, Bush, Dee, LaVia & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308
schef@gbwlegal.com
jlavia@gbwlegal.com

Respectfully submitted,

SMITH OROPEZA HAWKS, P.L.
138-142 Simonton Street
Key West, FL 33040
Telephone: (305) 296-7227
Fax: (305) 296-8448
bart@smithoropeza.com

/s/ Barton W. Smith
Barton W. Smith, Esquire
For the Firm

AND

FRIEDMAN & FRIEDMAN, P.A.
766 North Sun Drive, Suite 4030
Lake Mary, FL 32746
Telephone: (407) 830-6331
Fax: (407) 878-2178
mfriedman@ff-attorneys.com

/s/ Martin S. Friedman
Martin S. Friedman, Esquire
For the Firm