

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a Rate Increase in Seminole County by SANLANDO UTILITIES CORPORATION) DOCKET NO. 930256-WS FILED:)

MOTION TO STRIKE FLORIDA AUDUBON SOCIETY AND FRIENDS OF THE WEKIVA RIVER, INC'S MOTION TO DISMISS AND RESPONSE

Comes now TRICIA A. MADDEN, as President of WEKIVA HUNT CLUB COMMUNITY ASSOCIATION, INC., and Individually, by and through the undersigned attorneys, and hereby moves that the MOTION TO DISMISS AND RESPONSE of the FLORIDA AUDUBON SOCIETY and FRIENDS OF THE WEKIVA RIVER dated February 16, 1994, be stricken for the following reasons:

1. It appears from the pleadings that these two organizations are not presently parties to this matter and that their Petition to Intervene has not been ruled upon. Therefore, they have no standing to file the subject pleading.

2. More importantly, Rule 25-22.039, Florida Administrative Code, does not permit the filing of the subject Motion to Dismiss and Response since, even if they are allowed to intervene into this matter, the "Intervenors take the case as they find it."

WHEREFORE, the Petitioners respectfully request the Commission to strike the subject Motion to Dismiss and Response.

Respectfully submitted, Robert L. Taylor, Esquire, CURRY, TAYLOR & CARLS, P.A., 1900 Summit Tower Blvd., #800 Orlando, Florida 32810 Telephone: (407) 660-1040 Facsimile: (407) 660-9422 Florida Bar No. 149464 Attorneys for Tricia A. Madden, as President of Wekiva Hunt Club Community Association, Inc. and Individually

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**CERTIFICATE OF SERVICE
DOCKET NO. 930256-WS**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to the following parties on this 28th day of February, 1994.

JOHN F. LOWNDES, ESQUIRE
Lowndes, Drosdick, Doster, Kantor
& Reed, P.A.
215 North Eola Drive
Orlando, Florida 32801

MAGGIE O'SULLIVAN, ESQUIRE
Division of Legal Service
Florida Public Service
Commission
101 E. Gaines Street
Tallahassee, Florida 32301

JACK R. HIATT
1816 Wingfield Drive
Longwood, Florida 32779

ROBERT E. SWETT
106 Wyndham Court
Longwood, Florida 32779

KATHY BIDDELL
Florida Public Service
Commission
101 E. Gaines St.
Tallahassee, Florida 32399

JACK SHREVE, ESQUIRE
STEPHEN C. REILLY, ESQUIRE
Office of Public Counsel
111 West Madison Street
Tallahassee, Florida
32399-1400

NANCY B. BARNARD, ESQUIRE
St. Johns River Water
Management District
Post Office Box 1429
Palatka, Florida 32178-1429

CHARLES LEE
Senior Vice President
Florida Audubon Society
460 Highway 436, Suite 200
Casselberry, Florida 32707


ROBERT L. TAYLOR, ESQUIRE

RLTARC\Wekpsc2