

SUZANNE BROWNLESS, P. A.

ATTORNEY AT LAW
1975 Buford Boulevard
Tallahassee, Florida 32308

TELEPHONE (850) 877-5200
TELECOPIER (850) 878-0090

ADMINISTRATIVE LAW
GOVERNMENTAL LAW
PUBLIC UTILITY LAW

December 24, 2002

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0800

ORIGINAL

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COMMISSION
CLERK

Re: Docket No. 020413-SU - Initiation of Show Cause Proceedings against Aloha Utilities, Inc. for failure to charge approved service availability charges in violation of Order PSC-01-0326-FOF-SU and Section 367.091, F.S.

Dear Ms. Bayo:

Please find the original and one copy of Aloha Utilities, Inc.'s Notice of Taking Deposition Duces Tecum to be filed in the above-stated docket.

Also attached is a copy to be stamped and returned to our office.

Should you have questions or need any additional information, please contact me.

Thank you for your assistance in this matter.

Very truly yours,

Suzanne Brownless
Suzanne Brownless
Attorney for Aloha Utilities, Inc.

AUG _____ SB:smh
OAF _____ Bayo-ltr-Aloha.wpd
CMP _____
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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Initiation of show cause proceedings)
against Aloha Utilities, Inc. in Pasco County)
for failure to charge approved service)
availability charges, in violation of Order)
No. PSC-01-0326-FOF-SU and Section)
367.091, Florida Statutes.)
_____)

DOCKET NO. 020413-SU

ALOHA UTILITIES, INC.'S
NOTICE OF TAKING DEPOSITION DUCES TECUM

TO: David S. Ford
Adam Smith Enterprises, Inc.
43309 U. S. Highway 19, North
Tarpon Springs, Florida 34688-1608

PLEASE TAKE NOTE THAT, pursuant to Florida Rule of Civil Procedure 1.310, Aloha Utilities, Inc. (Aloha) will take the deposition upon oral examination of **David S. Ford**. The foregoing deposition will take place on **Monday, December 30, 2002, beginning at 1:00 p.m. (EST)**, before a court reporter, a Notary Public or some other official authorized by law to take depositions. The deposition will take place at the following location:

Adam Smith Enterprises, Inc.
43309 U. S. Highway 19, North
Tarpon Springs, Florida 34688-1608
Telephone: (727) 942-2591

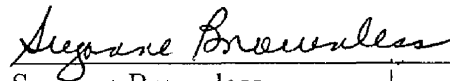
The deponent shall bring to his deposition:

- a. Copies of all documents relating to the responses of Adam Smith to Aloha Utilities, Inc.'s First Set of Interrogatories and First Request for Production of Documents;
- b. Copies of documents relied upon in preparing affidavits filed in the Response of Adam Smith Enterprises, Inc. to Aloha Utilities, Inc.'s Motion to Compel, Adam Smith's Motion for Protective Order and Adam Smith's Motion to Strike Aloha's Objection to Motion for Protective Order and Alternative Response; and

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

- c. Copies of all documents relating to developments of Adam Smith, or its affiliates, located within the service territory of Aloha Utilities, Inc.

This deposition is to be used for discovery purposes, for use at trial, or for any other purpose allowed by the Rules of Civil Procedure, and will continue from day to day until complete.



Suzanne Brownless
Suzanne Brownless, P.A.
1975 Buford Blvd.
Tallahassee, Florida 32308
Phone: (850) 877-5200
Fax: (850) 878-0090

Attorney for Aloha Utilities, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT a true and correct copy of the foregoing has been provided to the persons listed below by U.S. Mail, (*) Hand Delivery, or (**) E-Mail, this 24th day of December, 2002.


*Rosanne Gervasi
Senior Attorney
Florida Public Service Commission
Tallahassee, FL 32399-0850

**Joe McGlothlin, Esq.
McWhirter Reeves Law Firm
117 South Gadsden Street
Tallahassee, FL 32301

Kathryn G.W. Cowdery
Ruden, McClosky Law Firm
215 South Monroe Street
Suite 815
Tallahassee, FL 32301

Stephen C. Burgess,
Jack Shreve
Office of Public Counsel
c/o Florida Legislature
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400

Stephen Watford
President
Aloha Utilities, Inc.
6915 Perrine Ranch Road
New Port Richey, FL 34655-3904


Suzanne Brownless, Esq.

c: 3750