

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 20170141-SU

FILED: April 25, 2018

**OFFICE OF PUBLIC COUNSEL'S AND MONROE COUNTY'S
REQUEST FOR ORAL ARGUMENT ON THEIR
JOINT MOTION TO COMPEL K W RESORT UTILITIES CORP.
TO CORRECT ITS CONTINUALLY CHANGING MINIMUM FILING
REQUIREMENTS AND TO CONTINUE THE HEARING**

The Citizens of the State of Florida (“Citizens”), by and through the Office of Public Counsel (“OPC”), and Monroe County (the “County”), pursuant Rule 25-22.0022, Florida Administrative Code (“F.A.C.”), hereby request that the Prehearing Officer grant oral argument on Office of Public Counsel’s and Monroe County’s Joint Motion to compel K W Resort Utilities Corp.’s to correct its continually changing minimum filing requirements (“MFRs”) previously deemed complete and continue the hearing.

1. Oral argument will assist the Prehearing Officer in understanding and evaluating why K W Resort Utilities Corp. (“KWRU”) should be compelled to provide corrected MFRs and continue the hearing to provide Commission staff and the Intervenors additional time to conduct discovery upon the corrected MFRs and develop prefiled surrebuttal testimony and exhibits in order to protect the Citizens’ and Monroe County’s due process. Oral argument will also assist the Prehearing Officer in understanding how KWRU’s MFRs have continued to change; how even though its MFRs were revised in rebuttal, KWRU’s MFRs still contain errors; why KWRU has not presented all the revised detailed MFR schedules to the Commission and parties for review in this rate case; how KWRU’s actions to withhold these revised MFRs violate the Citizens’ and

Monroe County's due process; and how much additional time and discovery should be allotted for the continued hearing.

2. If KWRU provides an expedited response to this Joint Motion, Citizens and Monroe County respectfully suggest that the oral argument could be held at the prehearing conference in this docket on May 1, 2018, and that no more than 5 minutes per party would be necessary to present oral argument. If KWRU cannot provide a response prior to the prehearing conference, Citizens and Monroe County respectfully suggest oral argument could be held at the start of the May 15, 2018 hearing in Key West with a similar amount of time for each party to present oral argument.

WHEREFORE, the Citizens and Monroe County hereby respectfully request that the Prehearing Officer grant this Request for Oral Argument on the Joint Motion to Compel.

Respectfully submitted this 25th day of April, 2018.

/s/ Erik L. Saylor

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following, by electronic delivery, on this 25th day of April, 2018.

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