## RUTLEDGE. ECENIA. PURNELL & HOFFMAN

PROFESSIONAL ASSOCIATION ATTORNEYS AND COUNSELORS AT LAW

STEPHEN & ECENIA **BICHARD M. ELLIS** KENNETH A. HOFFMAN MARTIN P. McDONNELL J. STEPHEN MENTON

POST OFFICE BOX 551, 32302-0551 215 SOUTH MONROE STREET, SUITE 420 TALLAHASSEE, FLORIDA 32301-1841

> TELEPHONE (850) 681-6788 TELECOPIER (850) 681-6515

> > July 23, 2007

Ms. Ann Cole, Director Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Betty Easley Conference Center, Room 110 Tallahassee, Florida 32399-0850

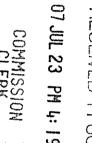
MARSHA E. RULE GARY R. RUTLEDGE MAGGIE M. SCHULTZ

R. DAVID PRESCOTT

HAROLD F. X. PURNELL

ORIGINAL

GOVERNMENTAL CONSULTANTS JONATHAN M. COSTELLO MARGARET A. MENDUNI



Docket No. 060368-WS In re: Application for increase in water and wastewater rates in Alachua. Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

Dear Ms. Cole:

Re:

Enclosed for filing on behalf of Aqua Utilities, Florida, Inc. ("AUF"), in the above-referenced docket please find an original and fifteen copies of each of the following:

AUF's Motion for Temporary Protective Order; and AUF's Motion for Reconsideration.

Parties to this docket are being served by hand delivery as indicated on the CMP certificates of service. As always, thank you for your assistance with this filing and please do not hesitate to contact me if you have any questions. COM

Sincerely

CTR

ECR /

GCL /

OPC

RCA

SCR \_\_\_\_\_

SGA \_\_\_\_\_ SEC

Cc:

Rosanne Gervasi, Esq.

Katherine Fleming, Esq. Stephen C. Reilly, Esq.

Ralph Jaeger, Esq.

Steve Burgess, Esq.

Kimberly Joyce, Esq.

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Protective order DOCUMENT NUMBER-DATE

Reconsideration DOCUMENT NUMBER-DATE

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**FPSC-COMMISSION CLERK** 

FPSC-COMMISSION CLERK

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## **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for increase in water and ) wastewater rates in Alachua, Brevard, ) Highlands, Lake, Lee, Marion, Orange, Palm) Beach, Pasco, Polk, Putnam, Seminole, ) Sumter, Volusia, and Washington Counties ) by Aqua Utilities Florida, Inc. )

Docket No. 060368-WS

Dated: July 23, 2007

## AQUA UTILITIES FLORIDA, INC.'S MOTION FOR TEMPORARY PROTECTIVE ORDER

Aqua Utilities Florida, Inc. ("AUF") by and through its undersigned counsel and pursuant to §367.156, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby files this Motion for Temporary Protective Order regarding certain documents and information as set forth below. As grounds for its request, AUF states as follows:

1. OPC has propounded numerous discovery requests on AUF. AUF has determined that certain documents and information responsive to OPC's Interrogatories Nos. 35 and 96 contain or constitute confidential, proprietary business information belonging to AUF pursuant to §367.156, Florida Statutes. The information is owned and controlled by AUF and is intended to be and is treated by AUF as confidential. Further, disclosure of the information would impair AUF's competitive business and impair AUF's efforts to contract for goods or services on favorable terms.

2. Pursuant to Rule 25-22.006(6), Florida Administrative Code, AUF requests a temporary protective order exempting the information from §119.07(1), Florida Statutes in order to allow OPC to inspect or take possession of such confidential information for the purpose of determining what information is to be used in this proceeding. As required by Rule 25-22.006(6), AUF will file a specific request for a protective order if the information is to be used in this proceeding.

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COMMISSION CLERK WHEREFORE, AUF respectfully requests the Commission to enter a temporary protective order protecting against public disclosure the confidential information provided by AUF in response to OPC's Interrogatories Nos. 35 and 96.

Kenneth A. Hoffman, Esquire Marsha E. Rule, Esquire Rutledge, Ecenia, Purnell & Hoffman, P.A. 215 South Monroe St., Suite 420 Tallahassee, FL 32301 850.681.6788 (telephone) 850.681.6515 (facsimile)

ATTORNEYS FOR AQUA UTILITIES FLORIDA, INC.

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was furnished by email and U.S. mail this 23<sup>rd</sup> day of July, 2007 to the following:

Stephen C. Reilly, Esq. Steve Burgess, Esq. Office of Public Counsel 111 West Madison Street Room 812 Tallahassee, FL 32399-1400

Rosanne Gervasi, Esq. Ralph Jaeger, Esq. Katherine Fleming, Esq. Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

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Attorney