

In Re: Application for )  
certificates to operate a water )  
and wastewater utility in )  
Charlotte and DeSoto Counties )  
by Lake Suzy Utilities, Inc. )  
\_\_\_\_\_ )

DOCKET NO. 970657-WS

LAKE SUZY UTILITIES, INC.'S  
MOTION FOR PROTECTIVE ORDER

LAKE SUZY UTILITIES, INC. ("LSU"), by and through its undersigned attorneys and pursuant to Rule 25-22.034, Florida Administrative Code and Fla.R.Civ.P. 1.280(c), moves this Commission for a Protective Order with regard to discovery propounded by Florida Water Services Corporation ("Florida Water") in this Docket, and in support thereof states:

1. On March 4, 1998, Florida Water served its First Request for Production of Documents, and First Set of Interrogatories upon Lake Suzy, responses to which are due April 8, 1998.

2. Florida Water is not a party to this proceeding and thus

ACK ~~does~~ not have standing to conduct discovery.

AFA \_\_\_\_\_ 3. Even if Florida Water is granted intervenor status, it

APP \_\_\_\_\_  
CAF must take the case as it finds it and would not be a party which

CMU ~~could~~ conduct discovery pursuant to Rule 25-22.034, F.A.C.

CTR \_\_\_\_\_ 4. Until such time as Florida Water's status is determined,

EAG \_\_\_\_\_  
LEG it would be unduly burdensome and expensive, and also legally

LIN \_\_\_\_\_ erroneous to require Lake Suzy to respond to Florida Water's

OPC \_\_\_\_\_  
RCH \_\_\_\_\_ discovery.

SEC 1 RECEIVED & FILED

WAS \_\_\_\_\_  
OTH \_\_\_\_\_  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

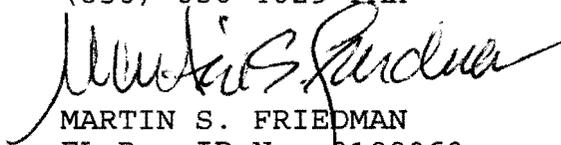
03373 MAR 20 88

FPSC-RECORDS/REPORTING

WHEREFORE, Lake Suzy requests this Commission enter an Order that discovery may not be had by Florida Water in this proceeding.

Respectfully submitted this 20th day of March, 1998, by:

ROSE, SUNDSTROM & BENTLEY, LLP  
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MARTIN S. FRIEDMAN  
FL Bar ID No. 0199060  
For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that an original and one copy of the foregoing has been furnished by U.S. Mail to Matthew J. Feil, Esquire, Florida Water Services Corporation, P.O. Box 609520, Orlando, Florida 32860-9520 and by hand delivery to Bobbie Reyes, Esquire, Florida Public Service Commission, Legal Division, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 this 20th day of March, 1998.



MARTIN S. FRIEDMAN

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