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**ORIGINAL  
FILE COPY**

August 9, 1991

Steve Tribble, Director  
Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, FL 32399-0850

Re: ~~Docket No. 900816-WS~~

Dear Mr. Tribble:

Enclosed for filing in the above-captioned proceeding on behalf of the Citizens of the State of Florida are the original and 12 copies of Citizens' Response to Utility's Motion To Strike Brief of Sailfish Point Property Owners Representatives and Charles R. Buckridge (SPOR) or Utility's Motion to File Reply Brief to be filed in this docket.

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC \_\_\_\_\_
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

RCH **Enclosure**

Sincerely,

Carol Bramblett

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DOCUMENT NUMBER-DATE

08088 AUG -9 1991

PSC-RECORDS/REPORTING

**BEFORE THE PUBLIC SERVICE COMMISSION**

**In Re: Application of SAILFISH  
POINT UTILITY CORPORATION for a  
rate increase in Martin County**

**Docket No. 900816-WS  
Filed: August 9, 1991**

**CITIZEN'S RESPONSE TO UTILITY'S MOTION TO STRIKE BRIEF OF  
SAILFISH POINT PROPERTY OWNERS REPRESENTATIVES AND CHARLES R.  
BUCKRIDGE (SPOR) OR UTILITY'S MOTION TO FILE REPLY BRIEF**

The Citizens of the State of Florida, through their undersigned attorney, file this response to Sailfish Point Utility Corporation's motion to strike SPOR's brief or in the alternative its motion to file a reply brief. The Citizens submit:

1. The Citizens concur with each and every argument presented by SPOR in its response to the same motion.

2. This motion is but the final installment (hopefully) of the Utility's strategy to intimidate and muzzle the non-Mobil customers. Mobil Corporation is completely familiar with the contents of the various development documents, which it authored. SPOR has made no secret of its contentions in this proceeding and sprung no surprise positions at the hearing or in its brief. If it was not clear before surely it is clear now why the Utility continued to insist that SPOR be saddled with the unprecedented requirement to identify each paragraph, sentence and word within the development documents which expressly support its position. The Utility, not so gracefully, now attempts to spring the trap it has attempted to set. Much to do about nothing! The supposed transgressions neither warrant the striking of SPOR's brief nor

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subjecting the Commission to still another rehash of the Utility's response to SPOR's recommendations.

3. The Citizens hate to say I told you so but we did have a premonition concerning this latest Utility motion:

Although we decided against doing it, the Citizens considered filing a motion after the hearing titled, 'Citizens' Motion to Prohibit Utility From Filing Motion to Strike Brief of Intervenor's Sailfish Point Property Owners Representatives and Charles R. Buckridge.' Arguing the merits of this motion would be as pointless and nonproductive as the endless skirmishes we have endured to preserve the customers' right to participate in this proceeding as outlined above. Only time will tell whether filing such a preemptive motion would have spared the Commission one final chapter to the utility's campaign to 'zuzzle the customers.' (Citizens' brief, page 68).

4. Perhaps the Citizens should have filed their preemptive motion, but arguing the merits of such a motion would have been as pointless and nonproductive as the arguments presented in these motions.

WHEREFORE, the Citizens respectfully request the Commission to deny the utility's motion to strike SPOR's brief and motion to file reply brief.

Respectfully submitted  
  
Stephen C. Reilly  
Associate Public Counsel

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Attorneys for the Citizens  
of the State of Florida



**CERTIFICATE OF SERVICE  
DOCKET NO. 900816-WS**

I HEREBY CERTIFY that a correct copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following parties on this 9th day of August, 1991.

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**\*CATHERINE BEDELL, ESQUIRE**  
Fla. Public Service Commission  
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Tallahassee, FL 32399-0863

**WM. REEVES KING, ESQUIRE**  
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Suite 600, Clearlake Plaza  
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**Stephen C. Reilly**  
Associate Public Counsel