## RUTLEDGE, ECENIA, PURNELL & HOFFMAN

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA
JOHN R. ELLIS
KENNETH A. HOFFMAN
THOMAS W. KONRAD
MICHAEL G. MAIDA
J. STEPHEN MENTON
R. DAVID PRESCOTT
HAROLD F. X. PURNELL
GARY R. RUTLEDGE

POST OFFICE BOX 551, 32302-0551 215 SOUTH MONROE STREET, SUITE 420 TALLAHASSEE, FLORIDA 32301-1841 OF COUNSEL:
CHARLES F. DUDLEY

TELEPHONE (850) 681-6788 TELECOPIER (850) 681-6515 OYERNMENTAL CONSULTANTS: PATHICK R. MALOY AMY J. YOUNG

July 17, 2000

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Betty Easley Conference Center, Room 110 Tallahassee, Florida 32399-0850

HAND DELIVERY

HECHIVED ARSO

Re:

Docket No. 000756-SU

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Lindrick Service Corporation ("Lindrick") is the original and fifteen copies of Lindrick's Response to Citizens' Petition for Show Cause and Amendment to Motion to Show Cause.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for your assistance with this filing.

Sincerely,

Kenneth A. Hoffman

CAF
CMB KAH/rl
COM Enclosures
CTR
Trib.3
FCB
LEG
OPC

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-BATE

08589 JUL 178

FPSC-RECORDS/REPORTING

one 7/19/0

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION



In Re: Petition for limited proceeding to	)	
implement two-step increase in wastewater	)	
rates in Pasco County by Lindrick Service	)	Docket No. 000756-SU
Corporation.	)	
	_)	Filed: July 17, 2000

## LINDRICK SERVICE CORPORATION'S RESPONSE TO CITIZENS' PETITION FOR SHOW CAUSE AND AMENDMENT TO MOTION TO SHOW CAUSE

Lindrick Service Corporation ("Lindrick"), by and through its undersigned counsel, hereby files the following response to the Petition for Show Cause and Amendment to Motion to Show Cause filed by the Office of Public Counsel ("OPC").

- 1. According to the Amendment to Motion to Show Cause filed July 14, 2000, OPC no longer requests the Commission to require Lindrick to show cause why it should not be fined for its delinquency in its payments for water to the City of New Port Richey. Accordingly, this matter is no longer at issue.
- 2. In its original Petition for Show Cause filed June 21, 2000, OPC requests the Commission to issue an Order to Show Cause why Lindrick should not be fined for allegedly violating the contractual threshold of chloride concentration for wastewater sent by Lindrick for treatment by the City of New Port Richey. Lindrick denies the allegations in OPC's Petition for Show Cause with respect to this issue. Lindrick does not object to OPC's request to consolidate this issue in the pending limited proceeding in Docket No. 980242-SU. In agreeing to OPC's request to consolidate, Lindrick specifically reserves all factual and legal objections, defenses and arguments in opposition to the allegations of OPC that the chloride levels in Lindrick's wastewater violate the standards set forth in the Bulk Wastewater Agreement between the City of New Port Richey and

DOCUMENT NUMBER-BATE

08589 JUL 178

Lindrick approved by the City Council on May 19, 1998 and Lindrick further denies that there is any factual or legal basis to issue an order to show cause to impose a fine on Lindrick, pursuant to Section 367.161, Florida Statutes, for a violation of Section 367.111(2), Florida Statutes.

Respectfully submitted,

Kenneth A. Hoffre

John R. Ellis, Esq.

Rutledge, Ecenia, Purnell & Hoffman, P.A.

P. O. Box 551

Tallahassee, FL 32302

(850) 681-6788 (Telephone)

(850) 681-6515 (Telecopier)

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was furnished by U. S. Mail to the following this 17th day of July, 2000:

Ralph Jaeger, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Room 370
Tallahassee, Florida 32399-0850

Stephen Burgess, Esq.
Office of Public Counsel
111 West Madison Street
Suite 812
Tallahassee, Florida 32399-1400

Kenneth A. Hoffman, Esq.