

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of deletion proceedings against Aloha Utilities, Inc. for failure to provide sufficient water service consistent with the reasonable and proper operation of the utility system in the public interest, in violation of Section 367.111(2), Florida Statutes.

DOCKET NO. 050018-WU

**ALOHA'S OBJECTION TO STAFF'S FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS AND FOR ENTRY UPON LAND
FOR INSPECTION AND OTHER PURPOSES**

Aloha Utilities, Inc. ("Aloha" or "Utility"), by and through the undersigned counsel, hereby files this objection to Staff's First Request for Production of Documents and for Entry Upon Land for Inspection and Other Purposes, and states in support thereof:

1. Objection. This request is overbroad, vague and is not reasonably calculated to lead to the discovery of admissible evidence. This Request would require the production of documents for which Florida law provides protection from disclosure. Nothing in the documents could lead to relevant evidence which pertains to the Order by which the Commission initiated this case, or the issues in this case.

2. Objection. This request lacks the specificity and detail about what is to be inspected, measured, surveyed, photographed, or tested or sampled. This request is overbroad, vague and is not reasonably calculated to lead to the discovery of admissible evidence. Aloha objects to any request for entry upon and inspection of its land unless

Aloha's representatives and experts are allowed to accompany the Commission prosecutorial staff's representatives during the inspection.

Respectfully submitted this 18th
day of July, 2005, by:



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by fax (*) and U.S. Mail this 18th day of July, 2005, to:

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A handwritten signature in black ink, appearing to read "John L. Wharton", written over a horizontal line.

JOHN L. WHARTON

objection to rfp