

**Marguerite McLean**

090478-WS

**From:** Geoffrey Kirk [gkirk@co.hernando.fl.us]  
**Sent:** Friday, June 25, 2010 4:23 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Caroline Klancke; Dean Mead; Derrill McAteer; John Wharton; Joseph Richards; Marty Deterding; Jon Jouben; Bill H. Hollimon; Sidney W. Kilgore; Linda Strumski; Geoffrey Kirk  
**Subject:** Electronic Filing in Case No. 090478-WS  
**Attachments:** Motion-Withdraw-Wieczorek-Witness-062510.pdf

Case No. 090478 - WS

In re Application of Skyline Utilities, LLC

Attached for filing is Hernando's *Motion to Withdraw Paul Wieczorek as Witness*

<<Motion-Withdraw-Wieczorek-Witness-062510.pdf>>

Respectfully submitted,

s/Geoffrey T. Kirk

Geoffrey T. Kirk, Esq.

Assistant County Attorney

Hernando County

(352) 754-4122

DOCUMENT NUMBER DATE

5288 JUN 25 2010

FPSC-COS (JUN 25 2010)

6/25/2010

STATE OF FLORIDA  
PUBLIC SERVICE COMMISSION

IN RE: APPLICATION OF SKYLAND  
UTILITIES, LLC, TO OPERATE A WATER  
AND WASTEWATER UTILITY IN  
HERNANDO AND PASCO COUNTIES,  
FLORIDA

Case No.: 090478-WS

**MOTION TO WITHDRAW PAUL WIECZOREK AS WITNESS**

Hernando County, a political subdivision of the State of Florida, Hernando County Water and Sewer District, a body politic of the State of Florida, and Hernando County Utility Regulatory Authority, a body politic of the State of Florida (collectively "Hernando") hereby jointly file and serve its Motion to Withdraw Paul Wieczorek as a Witness, and states:

1. At the time Hernando listed its intended witnesses in this proceeding, Hernando was unsure if the formal hearing (which had not yet been scheduled) would conflict with pre-approved leave of Ronald F. Pianta, AICP, Planning Director for Hernando County. Accordingly, in an abundance of caution, Hernando listed Paul Wieczorek, a Senior Planner under Mr. Pianta, as a witness.
2. Mr. Wieczorek's pre-filed Direct Testimony was limited to indicating that he had read the Direct Testimony of Ronald F. Pianta, AICP, and, in his professional opinion, concurs with Mr. Pianta's Direct Testimony.
3. Mr. Pianta is available and will be attending the formal hearing in this matter.
4. Consequently, any direct testimony of Mr. Wieczorek would be redundant and repetitive of Mr. Pianta's testimony. Such redundancy or repetitiveness is discouraged in connection with the formal hearing (see pre-hearing orders issued in this matter).

WHEREFORE, Hernando respectfully requests entry of an Order by the Prehearing Officer allowing Hernando to withdraw Paul Wieczorek as a witness in this proceeding, withdrawing his Direct Testimony and Deposition Testimony from the record, and take such other action that may be just and proper.

s/Geoffrey T. Kirk

Geoffrey T. Kirk, Esq.  
Assistant County Attorney  
Garth Coller (FBN 374849)  
County Attorney  
20 N. Main Street, Suite 462  
Brooksville, FL 34601  
(352) 754-4122; (352) 754-4001 (fax)  
Attorneys for Hernando County



FILE NUMBER-DATE

5288 JUN 25 e

FPSC-COMMISSION CLERK

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, this 25<sup>th</sup> day of June, 2010, a true and correct copy of the foregoing Motion has been filed electronically with the Clerk for the PSC and was sent, by U.S. Mail, to all other persons listed below.

s/Geoffrey T. Kirk



Geoffrey T. Kirk, Esq.

Director, Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
(sent via electronic filing)

J.R. Kelly, Public Counsel  
Office of Public Counsel  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
(by U.S. Mail)

Caroline Klancke  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
(by U.S. Mail and email)

Joseph D. Richards  
Senior Assistant County Attorney  
Pasco County  
7530 Little Road, Suite 340  
New Port Richey, Florida 34654  
(by U.S. Mail and email)

Michael Milton, Esq.  
Dean, Mead, Minton & Zwemer  
1903 South 25<sup>th</sup> Street, Suite 200  
Fort Pierce, Florida 34947  
(by U.S. Mail and email)

Derrill McAteer, Esq.  
The Hogan Law Firm  
20 South Broad Street  
Brooksville, FL 34601  
(by U.S. Mail and email)

John Wharton, Esq.  
Marshall Deterding, Esq.  
Rose, Sundstrom & Bentley LLP  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301  
(by U.S. Mail and email)

The Northeast Pasco Concerned Citizens Group  
c/o Richard K. Riley  
P.O. Box 6  
Trilby, FL 33593  
(by U.S. Mail)

Ronald Edwards, Manager  
Skyland Utilities, LLC  
660 Beachland Blvd., Suite 301  
Vero Beach, FL 32963  
(by U.S. Mail)

William H. Hollimon, Esq.  
Pennington Moore Wilkinson  
Bell & Dunbar, P.A.  
Post Office Box 10095  
Tallahassee, Florida 32302-2095  
(by U.S. Mail and email)

Sharon Blanchard, Chairman  
The Coalition Preserve Our Water Resources  
P.O. Box 173  
Dade City, FL 33526-0173 (by U.S. Mail)