

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for increase in water and
wastewater rates in Charlotte, Highlands, Lake,
Lee, Marion, Orange, Pasco, Pinellas, Polk and
Seminole Counties by Utilities, Inc. of Florida

Docket No. 160101-WS

**UTILITIES, INC. OF FLORIDA'S RESPONSE TO OPC'S
REQUEST FOR ORAL ARGUMENT ON ITS MOTION TO STRIKE PORTIONS OF
REBUTTAL TESTIMONY AND EXHIBITS**

Applicant, UTILITIES, INC. OF FLORIDA ("UIF") by and through its undersigned attorneys files this Response to the Office of Public Counsel's ("OPC"), Request For Oral Argument On Its Motion To Strike Portions Of Rebuttal Testimony And Exhibits, and states as follows:

1. OPC has filed a twelve page Motion to Strike with an embedded memorandum of law. Any legal basis for the Motion should have been included in that Motion and not allowed to be supplemented by oral argument. The Motion clearly sets forth OPC's argument.

2. UIF has filed a six page Response with citations to prior Commission decisions on this very subject.

3. The Commission on numerous occasions has addressed the very due process claims that OPC is making in this proceeding, as well as the related requests to strike rebuttal testimony. Many of those were cited in UIF's Response.

4. The factual situation is not novel and with OPC's extensive Motion and UIF's Response and citation to prior Commission decisions, oral argument is not necessary. The fact that

OPC says it can explain its argument in 5 minutes should be proof enough that there is nothing significant to add to what the parties have filed in writing.

5. OPC's Motion to Strike and Summertree Alliance's Motion to Intervene are matters that were not contemplated when UIF filed its estimate of future legal rate case expense; therefore, if this Commission allows oral argument, it is only fair to grant UIF \$3,600 in rate case expense to be added to what has previously been requested by UIF.

WHEREFORE, based upon the argument and authorities set forth above, Utilities, Inc. of Florida, respectfully requests this Commission deny OPC's Request for oral argument.

Respectfully submitted this 25th day of
April, 2017

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 25th day of April, 2017, to:

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