

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of billing practices of
KW Resort Utilities Corp. in Monroe County

Docket No.: **20170086-SU**

**K W RESORT UTILITIES CORP.'S REQUEST FOR ORAL ARGUMENT ON
OPC'S MOTION FOR PARTIAL SUMMARY DISPOSITION AND K W RESORT
UTILITIES CORP.'S CROSS MOTION FOR SUMMARY DISPOSITION**

K W RESORT UTILITIES CORP. ("**KWRU**"), by and through its undersigned attorneys and pursuant to Rule 22-22.0022, Florida Administrative Code, files this Request for Oral Argument on Office of Public Counsel's Motion for Partial Summary Disposition K W Resort Utilities Corp.'s Cross Motion for Summary Disposition and states:

1. On November 19, 2018, OPC filed a Petition requesting a formal evidentiary hearing with regard to Order No. PSC-2018-0444-PAA-SU.
2. On October 1, 2018, KWRU filed a Motion to Dismiss or in the Alternative Motion to Strike.
3. On November 19, 2018, OPC filed a Motion for Summary Disposition.
4. On November 29, 2018 KWRU filed its Response to OPC's Motion for Partial Summary Disposition and Cross Motion for Summary Disposition.
5. It is KWRU's understanding that both KWRU's Motion to Dismiss, OPC's Motion for Summary Disposition and KWRU's Cross-Motion for Summary Disposition will be considered by the full Commission at the January 8, 2019 Commission Conference. KWRU believes the Commissioners would benefit from hearing argument from counsel and having them respond to Commissioner's questions. KWRU's Motion is dispositive of the substantive issue in and KWRU believes it will be helpful to the Commissioners to hear

KWRU's explanation as to distinction between what OPC is requesting and what the Commission ordered the instant billing practices Docket opened pursuant to Order No. PSC-2017-0091-FOF-SU.

6. Although no party made a timely request for oral argument on KWRU's Motion to Dismiss, KWRU also believes the Commission can benefit for oral argument on that Motion as well. KWRU believes this is a matter of first impression where OPC is purporting to represent specific customers, not only without their knowledge and consent, but when such customer has specifically refused to allow OPC to represent them.

WHEREFORE, KWRU hereby requests this Commission allow oral argument on OPC's Motion for Partial Summary Disposition and KWRU's response and Cross Motion for Summary Disposition and Motion to Dismiss.

Respectfully submitted this 29th day of November, 2018,
by:

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by

E-Mail to the following parties this 29th day of November, 2018:

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