

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for Original Certificate of Authorization and Initial Rates and Charges for Water and Wastewater Service in Duval, Baker and Nassau Counties, Florida by FIRST COAST REGIONAL UTILITIES, INC.

DOCKET NO. 20190168-WS

**FIRST COAST REGIONAL UTILITIES, INC.'S
FIRST REQUESTS FOR ADMISSIONS
TO THE JEA**

Pursuant to Florida Administrative Code Rule 28-106.206 and Florida Rules of Civil Procedure 1.280 and 1.370, First Coast Regional Utilities, Inc. ("Applicant") hereby serves its First Request for Admission on the JEA ("Petitioner") and requests that Petitioner serve its answers within the time period specified in the Florida Rules of Civil Procedure. If matters requested to be admitted are not admitted, Applicant will seek an order awarding reasonable attorney's fees and costs for proving matters in accordance with Rules 28-106.206 and 1.380(c) where appropriate.

DEFINITIONS

1. As used herein, the following words shall have the meanings indicated:
 - (a) "All" also means "any," and vice versa.
 - (b) "Document" or "documents" is defined in its broadest sense under the Florida Rules of Civil Procedure and as used herein shall mean any original written record, graphic matter, electronic materials, including audio or video tapes, and emails

or other electronically stored communications, and all other tangible things (or, when the original is not in the Petitioner's possession, custody, or control, an identical copy), however produced or reproduced and each copy of the original that contains any attachments, notes, or markings not contained in or on the original, including without limitation the following, (whether printed, recorded, or produced by hand): agreements, written or oral communication, correspondence, telegrams, memoranda, summaries or reports of personal conversations or interviews, notes, reports, summaries or records of meeting, summaries or reports of investigation, any marginal comments appearing on any documents, personal records, time sheets, desk calendar entries, diary entries, minutes, program catalogs, radio broadcast logs, books, ledgers, payments records, financial statements, income tax records, photographs, computer printouts, compilation of data stored in computers, electronic tapes or records, or any system for record retention, in the possession, custody, or control of Petitioner, its agents, employees, servants, or assigns. A document in the possession, custody, or control of another person is considered to be in the possession, custody, or control of the Petitioner if Petitioner has the right or privilege to examine it upon request or demand.

(c) "First Coast" means the Applicant First Coast Regional Utilities, Inc.

(d) "Identify," when used in reference to a natural person, means to state his or her name, present or last-known address and telephone number, and present or last-known address and telephone number, and present or last-known employer and position or job title at the time of employment.

(e) "Identify," when used in reference to an employer or a prospective employer or any entity other than a natural person, means to state the name or present or last-known address of the corporation, partnership, proprietorship, association, or

other organization to be identified.

(f) "Identify," when used in reference to a document, means to state the following information with respect to such document:

- (1) its date;
- (2) its author;
- (3) the type of document (e.g., letter, memorandum, telegram, chart, invoice, statement, photograph, recording, reproduction, etc.);
- (4) the general subject matter and contents of the document; and
- (5) its present location and the name of each of its present custodians; or if the document is no longer in your possession, custody or control, the name of its last known custodian, a description of the circumstances under which it passed from your control to that person, and the names of each person having knowledge of such circumstances and or the present location of the document.

(g) "JEA", "you" or "your" means Petitioner JEA, and all other persons acting or purporting to act on behalf of same.

(h) "Or" includes "and," and "and" includes "or."

(i) "Petition" shall mean that objection filed by JEA in this docket dated December 26, 2019.

(j) "Petitioner" shall mean the JEA f/k/a Jacksonville Electric Authority which filed an objection on or about December 29, 2019 to the Application to the FPSC for original water and wastewater certificates.

(k) "Relating to" (or any of its forms) means reflecting, evidencing, constituting, representing, supporting, contradicting, referring to, relevant to, containing information about, stating, describing, analyzing, noting, embodying, containing,

mentioning, studying, recording, discussing, or evaluating (whether in opposition to or in support of your claims and positions in this action).

(l) “Territory” shall mean the service area as proposed by First Coast as contained in its Application for Original Certificates of Authorization as filed with the FPSC in this docket.

INSTRUCTIONS

These requests for admission must be answered within 30 days of service. Each matter is admitted unless denied. Any matter admitted is conclusively established for the purpose of this action.

If objection is made, you shall state the reasons specifically. The answer shall specifically deny the matter or set forth in detail the reasons why you cannot truthfully admit or deny the matter. Any denial shall fairly meet the substance of the requested admission, and when good faith requires that you qualify an answer or deny only part of the matter of which an admission is requested, you shall specify so much of it as true and qualify or deny the remainder.

You may not give lack of information or knowledge as a reason for failure to admit or deny unless you state you have made reasonable inquiry and that the information known or readily obtainable by you is insufficient to enable you to admit or deny. Inadequate reasons for neither admitting or denying are the equivalent of an admission. If you consider that a matter of which an admission is requested presents a genuine issue for trial, you may not object to the request on that ground alone; you may deny the matter or set forth specific reasons why you cannot admit or deny it, subject to Florida Rules of Civil Procedure 1.380(c).

Request for Admissions

1. JEA does not have the ability currently to provide water and/or wastewater service to the Territory.
2. JEA has a pressing need to extend additional water and wastewater utility service to the northern part of Duval County, in and around the Jacksonville International Airport in connection with its new terminal, and adjacent industrial and residential demand.
3. JEA has an additional pressing need to extend additional water and wastewater utility services in and around Cecil Field, in connection with ongoing and planned commercial and residential development in that area.
4. Standard & Poor's has recently downgraded JEA's water and wastewater utility bonds.
5. Over the course of the last year, JEA presented a financial report to the City Council describing its financial future as "dire?"

CERTIFICATE OF SERVICE

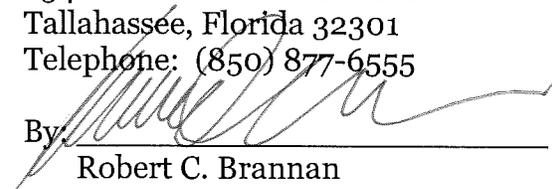
I hereby certify that a true and correct copy of the foregoing was served via email this 5th day of March, 2020 to:

Thomas A. Crabb
Susan F. Clark
Radey Law Firm
301 S. Bronough Street, Suite 200
Tallahassee, Florida 32301
tcrabb@radeylaw.com
sclark@radeylaw.com

Miriam R. Hill
JEA
21 West Church Street
Jacksonville, Florida 32202-3155
hillmr@jea.com

Bianca Lherisson, Esq.
Kristen Simmons, Esq.
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
BLheriss@psc.state.fl.us
KSimmons@psc.state.fl.us

Respectfully submitted on this
5th day of March, 2020, by:
SUNDSTROM & MINDLIN, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
Telephone: (850) 877-6555

By 

Robert C. Brannan