

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 REQUEST FOR PRODUCTION OF DOCUMENTS
TO JEA**

TO: Thomas A. Crabb, Esq.
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Please take notice that FIRST COAST REGIONAL UTILITIES, INC. ("First Coast"), by and through its undersigned attorneys, request, pursuant to Rule 1.350, Fla.R.Civ.P. and Rule 28-106.206, F.A.C., that JEA produce and permit First Coast to inspect and copy the things enumerated herein at SUNDSTROM & MINDLIN, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301 as required by the Florida Rules of Civil Procedure, or at a time and place mutually agreed upon.

This request shall also be considered a public records request pursuant to Chapter 119, Florida Statutes.

Definitions

1. "Document" means any document in your custody, possession or control, including, but not limited to, any printed, written, recorded, taped, electronic, graphic, or other tangible matter from whatever source, however produced or reproduced, whether in draft or otherwise, whether sent or received or neither, including the original, all amendments and addenda and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) of any and all writings, correspondence, postcards, letters, e-mails, instant messages, text messages, interoffice communications, telegrams, telex communications, telephonic facsimiles, cables, handwritten and printed notes, notations, papers, working papers, newsletters, memoranda, inter-office communications, releases, agreements, contracts, books, pamphlets, studies, minutes of meetings, agendas, recordings or other memorials of any type of personal telephone conversations, meetings or conferences, reports analyses, evaluations, estimates, projections, forecasts, receipts, statements, accounts, books of account, diaries, calendars, desk pads, appointment books, records of every kind, sound recordings, transcripts of sound recordings, trial transcripts, hearing transcripts, deposition transcripts, meeting transcripts, stenographer's notebooks, transcripts, ledgers, registers, worksheets, journals, statistical records, cost sheets, summaries, lists, tabulations, digests, canceled or uncanceled checks or drafts, vouchers, charge slips, invoices, purchase orders, accountant's reports, financial statements, and any material underlying supporting or used in the preparation of any documents contracts, agreements, books, magazines, letters, reports, catalogs, price lists, financial statements, books of account, purchase orders, invoices, indices, data processing cards, other data processing materials, data sheets, computer input, computer output, computer model codes, computer model user's manuals, computer disks, calculations, tapes, films, negatives, photographs, slides, transparencies, photostats, microfilms, micro fiche, directives, bulletins, circulars, notices, messages, tabulations, notes, economic or statistical studies, polls, minutes, instructions, requests, calendars, desk pads, appointment books, scrap books, notebooks, specifications, drawings, diagrams, sketches, bills, schedules, accountants, work papers, charts, graphs, audio, video tapes, press releases, newspaper clippings, advertisements, formal notices, investigations, claims statements, blueprints, mylars, test reports, print outs, surveys, site plans, appraisals, field delineations, maps, permits, licenses, governmental approvals, applications, and each draft and non-identical copies thereof, however reproduced and regardless of location or origin.

2. "Person(s)" means any natural person or any legal entity, including but not limited to, a corporation, partnership and unincorporated association, and any officer, director, employee, agent or other person acting or purporting to act on its behalf.

3. "And" and "or" shall be construed disjunctively or conjunctively as necessary in order to bring within the scope of each request all documents that might otherwise be construed to be outside its scope.

4. "First Coast" means Applicant, First Coast Regional Utilities, Inc., its

parents, subsidiaries, affiliates, departments, and divisions, its directors, officers and agents, attorneys, and all other persons acting or purporting to act on behalf of the Applicant, or such parents, subsidiaries, affiliates, departments and divisions.

5. "JEA", "you", or "your" means Petitioner JEA, its parents, subsidiaries, affiliates, departments, and divisions, its present and former directors, officers and agents, attorneys, and all other persons acting or purporting to act on behalf of the Petitioner, including all known or considered witnesses, or such parents, subsidiaries, affiliates, departments and divisions.

6. "Petition" shall mean that Objection filed by JEA in Florida Public Service Commission (FPSC) Docket No. 20190168-WS dated on or about December 26, 2019.

7. "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

1. Any document as to which a claim of privilege is or will be asserted in a privilege log and should be identified by author, signatory, description (e.g., letter, memorandum, telex, recording, etc.), title (if any), date, addresses (if any), general subject matter, present depository and present custodian, and a complete statement of the ground for any claim of privilege should be set forth.

2. If any of the documents cannot be produced in full, produce to the extent possible, specifying the reasons for the inability to produce the remainder.

3. If a particular request calls for a document, and the information requested therein is actually in more than one document, then the request should be read to request the greater number of documents, such that the request will be completely answered.

Production

1. Any documents that you referenced, relied upon, referred to, or identified by JEA with response to First Coast's first set of Interrogatories.

2. Please provide all documents which reference, discuss, analyze, set forth, or otherwise support or tends to support any decision, election, or choice of JEA to file the Petition in this docket and/or to otherwise oppose the certification which First Coast seeks at the FPSC.

3. Please provide any current, pending, or draft proposals, projections, plans, or similar or analogous documents which reveal how the JEA intends to provide water utility services to the territory described in First Coast's application for original certificates as filed before the FPSC as referenced in your Petition. Your response should include, but not be limited to:

- (a) documents which set forth the current permitted capacity of any surface water or groundwater facilities which the JEA either owns, operates, or plans or proposes to own or operate;
- (b) documents which set forth the current committed capacity of any such facilities;
- (c) documents which show, set forth, reveal, discuss, analyze, or project the locations, costs, timing, size and location or proposed location of any water distribution facilities;
- (d) any documents which set forth, analyze, contain, project, or propose any rates, fees or charges related to the provision or the proposed provision of such water; and
- (e) any documents which set forth, discuss, reference, or propose how any facilities related to the provision of water would be paid for or otherwise financed.

4. Please provide any current, pending, or draft proposals, projections, plans, or similar or analogous documents which reveal how the JEA intends to provide wastewater and reuse utility services to the territory described in First Coast's application for original certificates as filed before the FPSC as referenced in your Petition. Your response should include, but not be limited to:

- (a) documents which set forth the current permitted capacity of any wastewater or reuse facilities which the JEA either owns, operates, or plans or proposes to own or operate;
- (b) documents which set forth the current committed capacity of any such facilities;
- (c) documents which show, set forth, reveal, discuss, analyze, or project the locations, costs, timing, size and location or proposed location of any wastewater collection, treatment, reuse and disposal facilities;
- (d) any documents which set forth, analyze, contain, project, or propose any rates, fees or charges related to the provision or the proposed provision of such wastewater services; and
- (e) any documents which set forth, discuss, reference, or propose how any facilities related to the provision of wastewater would be paid for or otherwise financed.

5. Please provide any document or map setting forth the size, location, or service area of any water and/or wastewater utility operated within Duval or Nassau County by any entity other than the JEA.

6. Please provide a copy of the current JEA water/wastewater master plan, or documents which are effectively the equivalent of a master plan. Your response should include, but not be limited to, any current, proposed, or draft proposals for any alteration, modification, amendment, or update thereto.

7. Please provide any documents referenced, relied upon, reviewed, or otherwise utilized in the drafting of JEA's Petition and/or any of the allegations or objections set forth therein.

8. Please provide the most recent map, or series of maps if necessary, setting forth the service area JEA claims within Nassau, Duval and/or Baker Counties.

9. Please provide any documents which reveal, set forth, establish, discuss, or analyze whether the certification of First Coast will result in the creation of a utility which will be in competition with, or duplication of, any other system.

10. Please provide any documents which reveal, set forth, establish, discuss, or analyze whether JEA's capital plan includes the construction of facilities to serve the requested territory.

11. To the extent not produced pursuant to a separate request, please produce a current system map, or series of system maps if appropriate, of any JEA water and/or wastewater and/or reuse facilities or systems which are either in place, under construction or proposed within five (5) miles of the territory in question.

12. Please produce any document which sets forth, comprises, or otherwise memorializes your decision to file your Petition in this case, whether the same is in the form of a resolution, minutes, an order, etc.

13. Please provide any and all documents which analyze, reference, discuss, refer to, or otherwise address First Coast's application before the Public Service Commission which is at issue in this case.

14. Please provide any document in your possession setting forth projected or anticipated growth (within express terms of population, increased demand, ERCs, connections, etc.) in Duval, Nassau and Baker Counties.

15. Copies of any and all Consent Orders entered into between the JEA and the Florida Department of Environmental Regulation relative to JEA water, wastewater and

reuse utility operations within the last five (5) years.

Respectfully submitted this 5th day of
March, 2020, by:

SUNDSTROM & MINDLIN, LLP
2548 Blirstone Pines Drive
Tallahassee, Florida 32301
Telephone: (850) 877-6555

By: 

Robert C. Brannan
For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been
furnished via email on this 5th day of March, 2020, to:

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