STATE OF SOUTH CAROLINA

(Caption of Case)

IN RE:
Happy Rabbit, LP on Behalf of,

Windridge Townhomes, Complainant,

v.

Alpine Utilities, Inc., Respondent

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2008 - 360 - S

(Please type or print)

Submitted by: Richard L. Whitt
Address: Austin & Rogers, P.A.
508 Hampton Street, Suite 300
Columbia, South Carolina 29201

SC Bar Number: 62895
Telephone: 803-251-7442
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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

Other: Routine

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
☐ Electric	☐ Affidavit of Publication	☐ Letter	☐ Request
☐ Electric/Gas	☐ Agreement	☐ Memorandum	☐ Request for Certifica
☐ Electric/Telecommunications	☐ Answer	☐ Motion	☐ Request for Investigat
☐ Electric/Water	☐ Appellate Review	☐ Objection	☐ Resale Agreement
☐ Electric/Water/Telecom.	☐ Application	☐ Petition	☐ Resale Amendment
☐ Electric/Water/Sewer	☐ Brief	☐ Petition for Reconsideration	☐ Reservation Letter
☐ Gas	☐ Certification of Mailing	☐ Petition for Rulemaking	☐ Response
☐ Railroad	☐ Comments	☐ Petition for Rule to Show Cause	☐ Response to Discove
☒ Sewer	☐ Complaint	☐ Petition to Intervene	☐ Return to Petition
☐ Telecommunications	☐ Consent Order	☐ Petition to Intervene Out of Time	☐ Stipulation
☐ Transportation	☒ Discovery	☐ Return	☐ Subpoena
☐ Water	☐ Exhibit	☐ Promotion	☐ Tariff
☐ Water/Sewer	☐ Expedited Consideration	☐ Proposed Order	☐ Other:
☐ Administrative Matter	☐ Interconnection Agreement	☐ Protest	
☐ Other:	☐ Interconnection Amendment	☐ Publisher's Affidavit	
	☐ Late-Filed Exhibit	☐ Report	

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2008-360-S

IN RE: Happy Rabbit, LP on Behalf of, Windridge Townhomes, Complainant, v. Alpine Utilities, Inc., Respondent.	))))))))))	**COMPLAINANT'S FIRST SET OF REQUESTS FOR PRODUCTION**

TO: Respondent Alpine Utilities, Inc., (hereinafter, "Respondent Alpine" or "Respondent") and its attorney of record, Benjamin P. Mustian.

Complainant, Happy Rabbit, LP on Behalf of Windridge Townhomes, (hereinafter, "Happy Rabbit), through counsel, hereby requires the above-named Respondent to produce, within twenty (20) days after the service hereof, in accordance with 26 S.C. Code Ann. 103-833.C (Supp. 2007) and other applicable Commission rules and regulations. This Set of Requests for Production shall be deemed continuing, and if complete production to any of them is not presently available, and the information becomes available before trial, supplemental production is required at such time as this information becomes available to Respondent.

IF YOU CONTEND THAT ANY OF THE REQUESTED MATERIAL NEED NOT BE PRODUCED, IDENTIFY SUCH MATERIAL AND SET FORTH THE BASIS FOR YOUR CONTENTION IN ACCORDANCE WITH 26 S.C. CODE OF ANN. REGS. R. 103-833.C (SUPP. 2007) AND THE RULES AND REGULATIONS OF THIS COMMISSION.

DEFINITIONS

As used herein, the following terms shall have the meaning and be interpreted as set forth below:

1. "You" or "your" shall refer to Respondent, its successors, assigns, representatives, partners, agents, consultants, experts, and attorneys, if any.

2. Respondent shall refer to Alpine Utilities, Inc. and includes its business divisions, operating divisions, assigns, representatives, partners, agents, consultants, experts, and attorneys, if any.

3. The conjunctions "and" and "or" shall be interpreted in each and every instance as meaning "and/or" and shall in neither instance be interpreted disjunctively to exclude any document or information otherwise within the scope of any description or request made herein.

4. "Document" shall mean all originals of any nature whatsoever, identical copies and all non-identical copies thereof, pertaining to any medium upon which intelligence or information is recorded in your possession, custody or control, or other tangible objects regardless of where located; including, without limiting the generality of foregoing, punch cards, print-out sheets, movie film, slides, photographs, records, microfilm, notes, letters, memoranda, ledgers, worksheets, books, magazines, notebooks, diaries, calendars, appointment book registers, charts, cable, papers, agreements, contracts, purchase orders, acknowledgements, invoices, authorizations, budgets, analyses, projections, transcripts, minutes of meeting of any kind, correspondence, telegrams, drafts, data processing disks or tapes, or computer-produced interpretations thereof, instructions, announcements, schedules, and price list. In all cases where originals and/or non-identical copies are not available, "document" also means identical copies of original documents and copies of non-identical copies.

5. Any reference to Complainant includes previous owner, Carolyn D. Cook.

6. "Windridge Townhomes" shall refer to the duplexes, neighborhood, subdivision or other development located in the 3300 Block of Kay Street, Columbia, Richland County, South Carolina.

7. All references to the singular contained herein shall be deemed to include the appropriate plural number and all references to the plural shall be deemed to include the singular. All references to the masculine gender contained herein shall be deemed to include the appropriate feminine and neuter genders.

8. "Properties" means a utility sewer service location for Alpine of any type, size, location, or configuration.

INSTRUCTIONS

IT IS HEREIN REQUESTED:

1. That all information shall be provided to the undersigned in the format as requested.

2. That all responses to the below Requests for Production shall be labeled using the same numbers as used herein.

3. That if the requested information is found in other places or in other exhibits, reference not be made to those, but, instead, that the information be reproduced and placed in the responses to these Requests for Production in the appropriate sequence.

4. That any inquiries or communication relating to questions concerning clarifications of the data requested below be directed to the undersigned.

5. That all exhibits be reduced to an 8 1/2" x 11" format.

6. That each Request be reproduced at the beginning of the response thereto.

7. That Respondent provide the undersigned with responses to these Requests for Production as soon as possible but **not later than twenty (20) days from the date of service hereof.**

8. If the response to any Requests for Production is that the information requested is not currently available, state when the information requested will become available.

9. These Requests for Production shall be deemed continuing so as to require Respondent to supplement or amend their responses as any additional information becomes available up to and through the date of trial.

10. If a privilege not to answer a Request is claimed, identify each matter as to which the privilege is claimed, the nature of the privilege, and the legal and factual basis for each such claim.

11. If a refusal to respond to a Request is based on the grounds that same would be unduly burdensome, identify the number and nature of documents needed to be searched, the location of the documents, and the number of hours and costs required to conduct the search.

12. Answer each Request on the basis of the entire knowledge of Respondent, including information in the possession of Respondent or its consultants, representatives, agents, experts, and attorneys, if any.

13. If any Request cannot be answered in full, respond to the extent possible and specify the reasons for Respondent's inability to produce.

REQUESTS FOR PRODUCTION

1. All letters, memos, notes, e-mails, faxes, statements, reports, lists, proposals, agreements, contracts, draft contracts, photographs (positive or negative prints), videos, plats and sketches or other documents in your possession or to which you have access relating to any defense in the case including all writings or other documents Respondent intends to use at the trial of this case.

2. Any document relied upon in preparing responses and/or answers to Complainant's First Set of Interrogatories to Respondent, Complainant's Second Set of Interrogatories to Respondent and, in addition, any document that supports or is identified in responses or answers to Complainant's First Set of Requests for Admissions to Respondent.

3. All statements of possible witnesses, whether written, oral, summarized, or otherwise reproduced in any manner, relating to any defense is this action.

4. Copies of all letters, memos, notes, e-mails, reports, applications, filings, deeds or contracts including drafts, and all correspondence and other documents prepared by or reviewed by any expert consulted by Respondent or counsel and other documentary evidence reflecting opinion(s) of such experts or consultants.

5. Contents of Alpine's customer file related to Alpine's provision of utility service to Windridge Townhomes.

6. Copies of all contracts, applications for service, and service orders for other properties served by Alpine, consisting of a building, with more than one residential unit and less than four residential units, dated within the last three calendar years, where Alpine is in a utility relationship whereby the landlord is required to be responsible for the payment of the utility services provided to the tenants of the premises?

7. Copies of correspondence from or to other sewer utility customers, past, present, or pending utility service, for properties served by Alpine, consisting of a building, with more than one residential unit and less than four residential units, dated within the last three calendar years, where Alpine is in a utility relationship whereby the landlord is responsible for the payment of the utility services provided to the tenants of the premises?

8. Copies of all correspondence to tenants, past or present residing in or at Windridge Townhomes, dated within the last three calendar years.

9. Copies of all correspondence, to and from, the South Carolina Department of Health and Environmental Control, and documents and reports (including responsive material as broadly as the words, "document or report" may be defined), dated within the last three calendar years and relevant to Alpine's provision of sewer services to Windridge Townhomes.

10. Copies of all correspondence and documents concerning Windridge Townhomes, not contained in Windridge Townhome's utility customer file, dated within the last three calendar years.

AUSTIN & ROGERS, PA

____/s/_____

Richard L. Whitt
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
(803) 251-7442
Attorney for Complainant

Columbia, South Carolina

RLW/jjy
February 9, 2009

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2008-360-S

IN RE:	)	
Happy Rabbit, LP on Behalf of, Windridge Townhomes,	)	**CERTIFICATE OF SERVICE**
Complainant,	)	
v.	)	
Alpine Utilities, Inc.,	)	
Respondent	)	

I, Monica Griffin, an employee of Austin & Rogers, P.A., certify that I hand delivered a copy of Happy Rabbit's First Set of Requests for Production and Happy Rabbit's Second Set of Interrogatories, in the above referenced matter, by hand delivery as addressed below, or e-mail, as indicated below, on February 9, 2009.

Attorney Benjamin P. Mustian
930 Richland Street
Columbia S.C., 29201
Via Hand Delivery

Nanette S. Edwards, Esquire
Via e-mail

Austin & Rogers, P.A.

Monica Griffin

Columbia, South Carolina
February 9, 2009