

# ORIGINAL

## REQUEST FOR CHANGE TO AGENDA CONFERENCE HAND DELIVER

Date of Request: 07/30/03 Date of Agenda Conference: 08/05/03 Item No. 10

Docket No.: 021228-WS Brief Title: Application for a SARC by Service Management Systems, Inc.

Requested by:  Staff  Other Utility Counsel

Please attach a copy of the written documentation filed (if other)

STAFF's Recommendation to Executive Suite (IF OTHER)  Approve Request  Deny Request

ACTION REQUESTED [see APM 2.11 and SOP 1607]

- Defer Item to Agenda Scheduled Date: August 19, 2003
- Change Order of Item or Take Up at Time Certain
- Withdraw Item
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) **A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.**
- Add Item to Published Agenda [ see Section 120.525(2), F.S.] - issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] - Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

The utility manager will be having surgery on the 08/05/03 Agenda, and would like to address the Commission regarding his recommended salary, level of quality of service, rent, and insurance. He will be able to attend the following Agenda 08/19/03.

Signature (OPR Staff): [Signature] Initials (OPR Division Director or Designee): [Initials]

Signature (Legal Staff): [Signature] Initials (Legal Division Director or Designee): \_\_\_\_\_

### EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office  Approve Request  Deny Request  
Initials: [Initials] Date: 7/31/03

Comments:

CHAIRMAN'S OFFICE:  Approve Request  Deny Request  
Initials: [Initials] Date: 8/1/03

Executive Suite will send the original to the Division of Commission Clerk and Administrative Services and return a copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

JS \_\_\_\_\_  
AF \_\_\_\_\_  
WP \_\_\_\_\_  
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PSC/EXD-1 (03/02)

DOCUMENT NUMBER DATE  
06993 AUG-1 8  
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## TELECOPY COVER SHEET

DATE: July 30, 2003 OUR FILE NO.: 36082.01 PAGES:       TO: Ralph Jaeger TELECOPY NUMBER: 413-6235FROM: F. Marshall Deterding CONTACT PERSON: TonyaSUBJECT: Service Management Systems, Inc.

MESSAGE: \_\_\_\_\_

Please notify us immediately if not received properly:  
(850) 877-6555

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July 30, 2003

VIA HAND DELIVERY

Ralph Jaeger, Esquire  
General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0873

Re: Service Management Systems, Inc.; PSC Docket No. 021228-WS  
Application for Staff Assisted Water and Sewer Rate Increase in Brevard County  
Our File No. 36082.01

Dear Mr. Jaeger:

As a follow up to my conversation with you this morning, Service Management Systems, Inc. wishes to request that the consideration of the final Staff Recommendation in the above-referenced Staff Assisted Rate Case be deferred for one, or if necessary two, agenda conferences to allow for attendance at the meeting by Mr. Jim Bates, the President and Manager for the Utility, as well as for the Utility to provide information to the staff on three additional issues.

Mr. Bates is scheduled to have outpatient surgery on August 5, 2003 and will not be able to attend the August 5, 2003 agenda conference. With the issuance of the Staff Recommendation, Mr. Bates heard for the first time about allegations of poor customer relations by the Utility, and has had no opportunity to address the discussion of those concerns outlined in the Staff Recommendation. In addition, there are issues related to insurance and office rent that need to be addressed by the Utility in discussions with the staff. We would like to take the additional time that will result from a deferral, to briefly address these additional concerns, which we believe we should be able to get final information and discussion to the staff by the date of the agenda conference or within a day or two thereafter.

Ralph Jaeger, Esquire  
July 30, 2003  
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Please consider this our official request for extension of time for consideration of this matter on the agenda conference from the August 5, 2003 agenda to the August 19, 2003 or the agenda conference immediately following that August 19, 2003 date.

In order to accommodate our request for more time for consideration of these matters, we are hereby waiving for a period of up to thirty days, the statutory time frame for processing of this application.

If you have any questions in this regard, please let me know.

Sincerely,

ROSE, SUNDBSTROM & BENTLEY, LLP



F. Marshall Deterding  
For The Firm

FMD\tms

cc: Blanca S. Bayo, Commission Clerk  
Marshall Willis, CPA  
Ryan Fitch  
Tony Sargent  
Ted Davis  
Jennie Lingo  
Shannon Hudson

indian\jaeger.ltr