

ORIGINAL

JAMES E. "JIM" KING, JR.

PRESIDENT



Charles J. Beck
Interim
Public Counsel

STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE
111 WEST MADISON ST.
ROOM 812
TALLAHASSEE, FLORIDA 32399-1400
850-488-9330

JOHNNIE BYRD

SPEAKER



September 29, 2003

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

SEP 29 PM 3:22
COMMISSION
CLERK

RE: Docket No. 000694-WU

Dear Ms. Bayó:

Enclosed herewith for the docket file is an original and fifteen copies of a Petition on Proposed Agency Action for filing in the above referenced file.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

RECEIVED & FILED
lh
FPSC-BUREAU OF RECORDS

Sincerely,
Stephen C. Reilly
Stephen C. Reilly
Associate Public Counsel

SCR/dsb
Enclosures

- AUS _____
- CAF _____
- CMP 5
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC 1
- OTH long

DOCUMENT NUMBER-DATE
09327 SEP 29 03
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Water
Management Services, Inc. for
limited proceeding to increase
water rates in Franklin County.

Docket No. 000694-WU

Filed: September 29, 2003

PETITION ON PROPOSED AGENCY ACTION

The Citizens of the State of Florida ("Citizens") by and through their undersigned attorney, pursuant to Section 120.57, Florida Statutes, and Rules 25-22.029 and 28-106.201, Florida Administrative Code, file this objection to the Florida Public Service Commission's Order No. PSC-03-1005-PAA-WU, issued September 8, 2003, and state:

1. The name and address of the agency affected and the agency's file number:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
Docket No.: 000694-WU

2. The Citizens include customers of Water Management Services, Inc. ("Utility" or "Company") whose substantial interests will be affected by the Order because the Order provides that the Company's existing elevated storage tank will be dismantled and a new tank will be placed on the same site. The Citizens believe that removal of this 150,000 gallons of elevated storage to accommodate the new tank is not a prudent decision, is contrary to the interests of the ratepayers and is not in the public interest.

3. Pursuant to Section 360.0611, Florida Statutes, the Citizens' who file this petition are represented by the Office of Public Counsel ("Citizens," "Petitioner" or "OPC") whose address is:

DOCUMENT NUMBER-DATE

09327 SEP 29 8

FPSC-COMMISSION CLERK

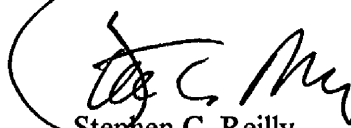
Office of Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400.

4. The Citizens received a copy of the Order by inter-office courier on September 11, 2003.
5. The Citizens' disputed issues of material fact, and the respective ultimate facts alleged are set forth below.
6. The Commission should not approve the Utility's proposal to dismantle and remove the 150,000 gallon existing elevated storage facility and to install the new elevated storage tank on this site. The removal of the existing elevated storage tank to accommodate the new tank is not prudent or justified and is not in the public interest.
7. The existing elevated storage tank was placed into service in 1989 and is in good working order.
8. Water Management Services, Inc. serves a resort barrier island service territory. Extreme peak usage is experienced by the Utility during holiday periods. The most economical means to meet these peak demands is with storage.
9. The cost of ultimately replacing the loss of this 150,000 gallons of elevated storage will be many times greater than the net salvage value of the existing elevated storage tank.

WHEREFORE, the Citizens hereby protest and object to Commission Order No. PSC-03-1005-PAA-WU, as provided above, and petition the Commission to conduct a formal evidentiary hearing, under the provisions of Section 120.57(1), Florida Statutes, and further petitions that such

hearing be scheduled at a convenient time within or as close as practical to the Utility's certificated service area.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen C. Reilly", is written over a circular stamp or mark.

Stephen C. Reilly
Associate Public Counsel

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400

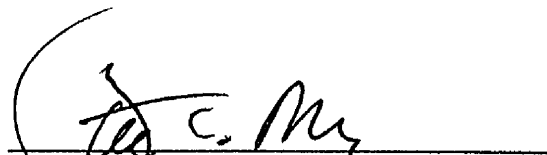
Attorney for the Citizens
of the State of Florida

**CERTIFICATE OF SERVICE
DOCKET NO. 000694-WU**

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition on Proposed Agency Action has been furnished by U.S. Mail or *hand-delivery to the following parties this 29th day of September, 2003.

Adrienne Vining, Esquire*
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Room 370
Tallahassee, Florida 32399-0850

Richard D. Melson, Esquire
Hopping, Green & Sams
Attorneys and Counselors
123 South Calhoun Street
Tallahassee, Florida 32301



Stephen C. Reilly
Associate Public Counsel