

ORIGINAL

050694

RETURN ORIGINAL ONLY
THIS IS COLOR CODED

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

DISTRIBUTION CENTER
RECEIVED FPSC
06 JAN 18 AM 7:21
06 JAN 18 AM 9:34

DOCKETING STATEMENT AND
NOTICE OF APPEARANCE OF COUNSEL
COMMISSION CLERK

APPELLANT/PETITIONER: If this case involves an original writ, is an appeal of a non-final order, or is a "child" case (as defined in paragraph 13 below), this Docketing Statement must be completed and returned immediately. In all other cases, counsel for the appellants or the appellants, if not represented by counsel, must file the Docketing Statement within 20 days from the date of the cover letter accompanying this Docketing Statement.

APPELLEE/RESPONDENT (AND AMICUS CURIAE): Are not required to file a Docketing Statement unless there are amendments, corrections, or additions to the Docketing Statement filed by appellant. Appellees and Amici are only required to file the notice of appearance if counsel's name does not already appear on the certificate of service. Appellee's Docketing Statement and notice of appearance are due no later than the answer brief.

PLEASE PROVIDE THE FOLLOWING INFORMATION (ATTACH ADDITIONAL PAGES IF NECESSARY).

If this is a child case (SEE QUESTION 13), check here _____

CMP _____

COM _____

1. NAME OF CASE:

DCA CASE NUMBER

Roy's Trailer Park, Inc. v KW Resort
Utilities Corp.

1D06-178

CTR _____

ECR _____

2. NOTICE OF APPEARANCE OF COUNSEL

GCL _____

ATTORNEY FOR (LIST CLIENT BY NAME)

Roy's Trailer Park, Inc.

OPC _____

ATTORNEY'S SIGNATURE

RCA _____

ATTORNEY'S PRINTED NAME

Susan E. Rice

SCR _____

BAR NO:

0550851

SGA _____

ADDRESS

2155 Delta Boulevard, Ste 210-B

SEC 1

Tallahassee, FL 32303

PHONE NO:

850-521-0890

OTH Lockard

Docketing statement of:

Appellant/Petitioner

X

Appellee/Respondent

Amicus

All correspondence and orders will be sent to counsel as specified above unless the court allows withdrawal or substitution of counsel.

3. If the appeal is an appeal of a final order or of a partial final judgment, are there any matters still pending in the lower tribunal? If yes, please explain specifically the nature of the order being appealed and what matters remain pending in the lower tribunal.

No

DOCUMENT NUMBER-DATE

00436 JAN 18 98

FPSC-COMMISSION CLERK

4. TYPE OF CASE: Place a check by the most appropriate type of case.

A. Civil

- 1. Domestic Relations - divorce, child custody, paternity or support
- 2. Child Dependency
- 3. Malpractice - professional malpractice or products liability
- 4. Negligence
- 5. Contract or Indebtedness - not involving property issues
- 6. Foreclosure - mortgage, lien
- 7. All Others - specify _____

B. Criminal

- 1. Direct Appeal - judgment and sentence
- 2. Direct Appeal - sentence only
- 3. Direct Appeal - juvenile
- 4. Collateral Attack (Rule 3.850 or habeas corpus) - judgment and sentence
- 5. Collateral Attack (Rule 3.800, Rule 3.850 or habeas corpus) - sentence only
- 6. Collateral Attack - juvenile
- 7. Inmate Appeal - gain time, rule challenges, disciplinary action
- 8. Appeal by the State
- 9. All Others - specify _____

C. Administrative

- 1. Department of Professional Regulation
- 2. Unemployment Appeals Commission
- 3. Rule Challenge - specify agency _____
- 4. All others - specify Public Service Commission - Waste Water

D. Workers' Compensation

5. REAL PARTIES IN INTEREST: List names and addresses of all persons, business entities, and organizations having a direct interest in the outcome of this action.

Roy's Trailer Park
6500 Maloney Ave.
Key West, FL 33040

KW Resort Utilities Corp
6450 College Road
Key West, FL 33040

Public Serv. Comm.
2540 Shumard Oak Blv
Tallahassee, FL 3239

6. RECUSALS: For the information of the court, list any judge(s) on this court who you believe should not participate in this case, stating your reasons for that belief. (Note: Your listing of such judge(s) in the answer to this question, together with the reason for your belief, will not supplant the need for an appropriate separate pleading if you intend to seek the disqualification of a judge.) -085

None

7. JUDGES BELOW: List the name of all judge(s), deputy commissioner(s), master(s), and hearing officer(s)/examiner(s) who were involved in this action below.

PSC Commissioners: Braulio L. Baez, J. Terry Deason, Rudolph Bradler,
Lisa Polak Edgar, and Isilio Arriaga

8. ATTORNEYS: List the names and addresses of all attorneys who are, or have been, of record in this case and who they represent.

Richard P. Lee
Susan E. Rice
2155 Delta Blvd Suite 210-B
Tallahassee, FL

Wayne L. Schiefelbeir
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Dr.
Tallahassee, FL 32301
Attorney for KW Resort Utilities Corp.

9. PENDING CASES Appellant
Attorneys for

(a) List the style and docket number of all other cases now pending before this court, arising from the same case in the lower tribunal.

None

(b) List the style and docket number of all other cases now pending before this court, which involve the same or similar issues. State the issue(s).

None Known

(c) List the style and docket number of all other cases now pending before this court which are related to this case for reasons other than those set forth in 9(a) and 9(b) above, including, but not limited to, cases arising from the same set of facts. State the reason(s) the cases are related.

None

10. PRIOR PROCEEDINGS: List style, docket number or citation of all prior proceedings in this court which involve the same parties or issues which are being addressed in this case.

None

11. CURRENT AND PRIOR PROCEEDINGS IN OTHER COURTS: List style, case number, and court of all pending and prior proceedings in other courts related to this action. State briefly how the case is related.

None

12. PROCEEDINGS BELOW: If you are aware of any cases other than this case pending before a lower tribunal, or about to be filed in this court, which involve the same controversy or parties, or substantially similar issue(s), list each such case by style, case number, and tribunal where filed.

None

PLEASE READ CAREFULLY

13. CHILD CUSTODY/VISITATION, SUPPORT, PLACEMENT, JUVENILE DEPENDENCY AND DELINQUENCY: Does this appeal directly involve and substantially affect child custody/visitation, support, placement, juvenile dependency, or delinquency? Yes _____ No X

Unless good cause to the contrary is shown by any party, the court will follow a policy of expediting appeals which involve or affect custody, support, placement, dependency and delinquency. The basic briefing schedule will be the same as in other appeals. However, no extensions of time for briefing will be granted except in extreme emergency; motions will not toll the running of the briefing schedule, and the case will be processed in an expedited manner and decided as early as the interests of justice permit. (NOTE: The court encourages the parties to stipulate to an abbreviated briefing schedule and to arrange with the lower court for the record to be transmitted earlier than the time provided by the Florida Rules of Appellate Procedure.)

CERTIFICATE OF SERVICE

I hereby certify that a completed copy of this Docketing Statement has been mailed first class postage prepaid or has been hand delivered to all parties of record or their counsel on this date, and that the original pink Docketing Statement has been provided to the First District Court of Appeal, and that all of the foregoing statements are true and correct.

Date: January 17, 2006

By: Susan C. Rice