

Eric Fryson

From: Michele Parks [mparks@sfflaw.com]
Sent: Thursday, September 13, 2012 3:55 PM
To: Filings@psc.state.fl.us
Cc: Sayler, Erik; Martha Barrera; Ralph Jaeger
Subject: {BULK} Docket No. 110200-WU; Application for Increase in Water Rates in Franklin County by Water Management Services, Inc.

Importance: Low

Attachments: Notice of Implementation of PAA Rates.pdf

- a. Martin S. Friedman, Esquire
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- b. Docket No. 110200-WU; Application for Increase in Water Rates in Franklin County by Water Management Services, Inc.

<![if !supportLists]>c. <![endif]>Water Management Services, Inc.

- d. 11 pages (2 page Notice; 2 page Escrow Agreement; and 7 pages Tariff Sheets)

- e. Notice of Implementation of PAA Rates pursuant to Section 367.081 (8), Florida Statutes.

MICHELE PARKS

Paralegal for Martin S. Friedman and Bridget M. Grimsley

**SUNDSTROM,
FRIEDMAN & FUMERO, LLP**
Attorneys | Counselors



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DOCUMENT NUMBER-DATE

06173 SEP 13 2012

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Docket No. 110200-WU

In re: Application for increase in
Water Rates in Franklin County by
Water Management Services, Inc.

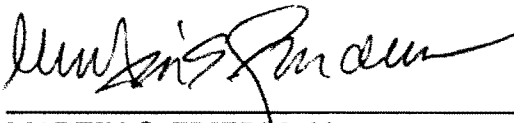
NOTICE OF IMPLEMENTATION OF PAA RATES

Applicant, WATER MANAGEMENT SERVICES, INC. ("Utility"), by and through its undersigned counsel and pursuant to Section 367.081 (8), Florida Statutes, hereby notices the Commission of its intent to implement the PAA rates (instead of its requested rates) effective for service rendered on or after October 1, 2012.

Pursuant to the aforementioned Statute, attached hereto is the Escrow Agreement and revised Tariff Sheets.

Respectfully submitted on this 13th day of
September, 2012, by:

SUNDSTROM, FRIEDMAN & FUMERO, LLP
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MARTIN S. FRIEDMAN
For the Firm

DOCUMENT NUMBER-DATE

06173 SEP 13 2012

FPSC-COMMISSION CLERK

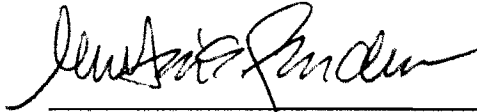
CERTIFICATE OF SERVICE
DOCKET NO. 110200-WU

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail and/or E-mail to the following parties this 13th day of September, 2012:

Erik Sayler, Associate Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Martha Barrera, Esquire
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Ralph Jaeger, Esquire
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



MARTIN S. FRIEDMAN
For the Firm

ESCROW AGREEMENT

THIS ESCROW AGREEMENT is made by and between CITIZENS STATE BANK (the "Bank"), the FLORIDA PUBLIC SERVICE COMMISSION ("FPSC") and WATER MANAGEMENT SERVICES, INC., a Florida corporation, (the "Utility"), upon the following terms, conditions and considerations:

WITNESSETH:

WHEREAS, by action of the FPSC in Docket No. 110200-WU, Order No. PSC-12-0435-PAA-WU, issued August 22, 2012, the FPSC approved new rates for the Utility and ordered that 35.25% of all utility revenues collected pursuant to such rates shall be deposited each month into an interest bearing escrow account approved by the FPSC, and

WHEREAS, the purpose of the escrow requirement is to ensure that the pro forma projects referenced in the order are completed, and to ensure the prompt payment of all sums due on an existing loan with the Florida Department of Environmental Protection (FDEP), as well as the prompt payment of all sums due on the loan used to finance the pro forma plant items; and

WHEREAS, the Bank has agreed to hold such funds in an interest bearing escrow account pursuant to the terms of the order.

NOW, therefore, in consideration of Ten Dollars and the mutual covenants herein, the parties agree as follows:

1. The foregoing representations are true and correct.
2. The Utility and the FPSC shall open a joint interest bearing Escrow Account which shall be governed by the terms of this Agreement and Order No. PSC-12-0435-PAA-WU. Beginning with the first monthly billing after the new rates go into effect, the Utility shall deposit into the Escrow Account each month 35.25% of all Utility revenues collected pursuant to such new rates. Until the pro forma items have been completed and the true-up of the pro forma plant costs has been approved by the FPSC, the deposited funds shall be subject to refund with interest. The FPSC staff shall have administrative authority to authorize all payments from the escrow account on the bank loan for construction contracts for the pro forma plant, the interest payments on the loan while the pro forma plant items are being constructed, and the FDEP loan as they become due.
3. The balance in the escrow account shall bear interest at the Bank's prevailing money market rate which is currently .50% annual percentage yield, which is a variable rate. The Utility shall pay all fees required to maintain the Escrow Account, and shall be entitled to all interest earned on the account if no refund is required.

4. The Commission Clerk of the Office of Commission Clerk of the FPSC and the Utility shall be signatories of the Escrow Account. Signature cards executed by the Clerk and the Utility shall designate the appropriate authorized signature for each. No withdrawals of funds shall occur without the prior approval of the Commission through the Office of Commission Clerk.
5. The Bank shall forward regular monthly statements (including images of cancelled checks) to the Utility and shall mail a copy of the monthly statements to the FPSC.
6. The Utility shall indemnify and hold the Bank harmless from any claim, demand or loss suffered by the Bank, and the cost thereof including court costs and attorney fees for negotiation, trial and appeal.
7. This Escrow Account is established pursuant to the FPSC Order No. PSC-12-0435-PAA-WU for the benefit of the Utility's customers.
8. The information concerning the Escrow Account shall be available from the Bank to the FPSC and its representative at all times.
9. This Escrow Account is established by the direction of the Florida Public Service Commission for the purposes set forth in the above-referenced order requiring such account. Pursuant to Cosentino v. Elson, 263 So. 2d 253 (Fla. 3rd DCA 1972), Escrow Accounts are not subject to garnishment.

THIS AGREEMENT shall become effective and binding upon all parties upon the date that it becomes fully executed.

WATER MANAGEMENT SERVICES, INC.,
a Florida corporation

By: _____
Gene D. Brown, as its President

DATE: _____

CITIZENS STATE BANK

By: _____
Roger Brooks, as its President/CEO

DATE: _____

FLORIDA PUBLIC SERVICE COMMISSION

By: _____
Ann Cole, Commission Clerk
Office of Commission Clerk

DATE: _____

WATER MANAGEMENT SERVICES, INC.
WATER TARIFF

(continued from Sheet No. 6.0)

<u>Rule Number</u>		<u>Sheet Number</u>
21.0	Meters	13.0
22.0	All Water Through Meter	13.0
23.0	Adjustment of Bills	13.0
24.0	Customer Deposit	13.0
25.0	Request for Meter Test by Customer	14.0
26.0	Adjustment of Bills for Meter Error	15.0
27.0	Filing of Contracts	15.1
28.0	Miscellaneous Service Charges	15.1
29.0	NSF Check Charge	15.2

GENE D. BROWN
Issuing Officer

President
Title

WATER MANAGEMENT SERVICES, INC.
WATER TARIFF

GENERAL SERVICE
RATE SERVICE GS

- AVAILABILITY - Available throughout the area served by the company.
- APPLICABILITY - To any customer for which no other schedule applies.
- LIMITATIONS - Subject to all rules and regulations of this Tariff and General Rules and Regulations of the Commission.
- RATES - Monthly

<u>METER SIZE</u>	<u>BASE FACILITY CHARGE</u>
5/8" x 3/4"	\$ 34.83
3/4"	\$ 52.25
1"	\$ 87.08
1 1/2"	\$ 174.15
2"	\$ 278.64
3" Compound	\$ 557.28
3" Turbine	\$ 609.53
4" Compound	\$ 870.75
4" Turbine	\$ 1,044.90
6" Compound	\$ 1,741.50
6" Turbine	\$ 2,176.88
8" Compound	\$ 2,786.40
8" Turbine	\$ 3,134.70
10" Compound	\$ 4,005.45
10" Turbine	\$ 5,050.35
12" Compound	\$ 7,488.45
Gallonge Charge per 1,000 gallons	\$ 6.56

- MINIMUM CHARGE - The minimum charge is \$34.83 per month. This charge covers the availability of water service, and accordingly continues to accrue whether water is connected or disconnected. All base facility charges must be paid prior to service being reconnected at the same location.
- TERMS OF PAYMENT - Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After ten (10) working days' written notice, service may then be disconnected.

EFFECTIVE DATE: October 1, 2012

TYPE OF FILING: PAA Rates

GENE D. BROWN
Issuing Officer

President
Title

WATER MANAGEMENT SERVICES, INC.
WATER TARIFF

RESIDENTIAL SERVICE
RATE SERVICE RS

- AVAILABILITY - Available throughout the area served by the company.
- APPLICABILITY - To any customer for which no other schedule applies.
- LIMITATIONS - Subject to all rules and regulations of this Tariff and General Rules and Regulations of the Commission.
- RATES - Monthly

<u>METER SIZE</u>	<u>BASE FACILITY CHARGE</u>
5/8" x 3/4"	\$ 34.83
3/4"	\$ 52.25
1"	\$ 87.08
1 1/2"	\$ 174.15

Gallorage Charge
(per 1,000 gallons)

0-6,000 Gallons	\$ 6.21
over 6,000 Gallons	\$ 7.03

- MINIMUM CHARGE - The minimum charge is the base facility charge for the respective meter size. This charge covers the availability of water service and accordingly continues to accrue whether water is connected or disconnected. All base facility charges must be paid prior to service being reconnected at the same location.
- TERMS OF PAYMENT - Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After ten (10) working days' written notice, service may then be disconnected.

EFFECTIVE DATE: October 1, 2012

TYPE OF FILING: PAA Rates

GENE D. BROWN
Issuing Officer

President
Title

WATER MANAGEMENT SERVICES, INC.
 WATER TARIFF

(continued from Sheet No. 15.0)

27.0 The Company shall file with the Commission copies of all Guaranteed Revenue Contracts or special contracts for the sale of its product or services in a manner not specifically covered by its standard regulations or approved rate schedules prior to execution.

28.0 MISCELLANEOUS SERVICE CHARGES - The Company may charge the following miscellaneous service charges in accordance with the terms stated herein. If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company require multiple actions.

TEMPORARY SERVICE - The utility will charge a fee of \$100.00 when temporary service is requested instead of permanent service. The purpose of the temporary service is for realtors, appraisers, home inspectors, etc., to provide short-term water service for purposes of inspecting the property. The service will be for a period not to exceed 72 hours. The \$100 fee will cover all costs, including water use of the service locations. Temporary Service will be provided upon completion of an Application for Temporary Service and payment of the \$100 fee.

INITIAL CONNECTION - This charge may be levied for service initiation at a location where service did not exist previously.

NORMAL RECONNECTION - This charge may be levied for transfer of service to a new Customer account at a previously served location or reconnection of service subsequent to a Customer requested disconnection.

VIOLATION RECONNECTION - This charge may be levied prior to reconnection of an existing Customer after disconnection of service for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.

PREMISES VISIT CHARGE (IN LIEU OF DISCONNECTION) - This charge may be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

	<u>Business Hours</u>	<u>After Hours</u>
Temporary Service	\$ <u>100.00</u>	\$ <u>100.00</u>
Initial Connection Fee	\$ <u>21.00</u>	\$ <u>42.00</u>
Normal Reconnection Fee	\$ <u>21.00</u>	\$ <u>42.00</u>
Violation Reconnection Fee	\$ <u>21.00</u>	\$ <u>42.00</u>
Premises Visit Fee	\$ <u>21.00</u>	\$ <u>42.00</u>
<i>(in lieu of disconnection)</i>		
Late Payment Fee	\$ <u>5.00</u>	

EFFECTIVE DATE - October 1, 2012
 TYPE OF FILING - PAA Rates

(continued on Sheet No. 15.2)

GENE D. BROWN
 Issuing Officer

President
 Title

WATER MANAGEMENT SERVICES, INC.
WATER TARIFF

(continued from Sheet No. 15.1)

- 26.0 NSF CHECK CHARGE – This charge may be levied pursuant to Sections 68.065 and 832.08(5), Florida Statutes, when a customer pays by check and that check is dishonored by the customer's banking institution. The Company will charge the amount set by Sections 68.065 and 832.08(5), Florida Statutes, as may be amended.

EFFECTIVE DATE - October 1, 2012

TYPE OF FILING - PAA Rates

GENE D. BROWN
Issuing Officer

President
Title

WATER MANAGEMENT SERVICES, INC.
WATER TARIFF

SCHEDULE OF FEES AND CHARGES

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>SHEET NO.</u>
Plant Capacity Charge		
Residential-per ERC (350 gpd)	\$3,387.00	29.0
All Others Per Gallon	\$9.68	29.0
Main Extension Charge		
Residential-per ERC (350 gpd)	\$1,523.00	30.0
All Others Per Gallon	\$4.35	30.0
Meter Installation Fee		
5/8" x 3/4"	\$400.00	35.0
Over 5/8" x 3/4"	Actual Cost	
Plan Review Charge		
Refer to Rule 9.1	Actual Cost	32.0
Inspection Fee		
Refer to Rule 12.1	Actual Cost	35.0
Customer Connection (Tamp-in) Charge		
Refer to Rule 14.0	Actual Cost	36.0
Allowance for Funds Prudently Invested		
Refer to rule 20.0	Per Schedule	39.0
CIAC Tax Impact Charge		
Refer to Rule 21.0	Not Applicable	39.0

EFFECTIVE DATE - October 1, 2012

TYPE OF FILING - PAA Rates

GENE D. BROWN
Issuing Officer

President
Title

WATER MANAGEMENT SERVICES, INC.
WATER TARIFF

5.0 REQUIREMENT FOR PAYMENT OF CIAC

The utility requires the payment of contributions in aid of construction either by cash payments or through transfer of water distribution facilities and appurtenances thereto which have been installed by the contributor or through a combination of both cash payments and a transfer of such facilities to the utility.

For the purpose of this Policy, the term contributions in aid of construction shall include the on-site water distribution system contributed in cash, or in kind; payments to defray, in part or in total, the cost of the off-site lines and related facilities; payments to defray the cost of the treatment facilities; and meter installation fees.

6.0 CIAC - TREATMENT FACILITIES

Utility requires that all contributors pay contributions based in part on a pro rata share of the cost of treatment plant facilities, whether or not the facilities have been constructed or may be constructed to continue to render service. Such payments re herein defined as contributions in aid of construction and shall be made by all contributors upon approval of the governmental agency having jurisdiction of this Policy, where water service is available or agreed to be made available, in the territory.

Utility further declares that these contributions shall be uniform among all contributors notwithstanding provisions of prior developer agreements or the practices and procedures pertaining to such charges as established prior to the adoption of Chapter 25-30.585, F.A.C.

6.1 Omitted

EFFECTIVE DATE: October 1, 2012

TYPE OF FILING: PAA Rates

GENE D. BROWN
Issuing Officer

President
Title