

Eric Fryson

From: Woods, Monica [WOODS.MONICA@leg.state.fl.us]
Sent: Friday, December 21, 2012 11:44 AM
To: Filings@psc.state.fl.us
Cc: 'Gene Brown'; Martha Barrera; 'Marty Friedman'; Saylor, Erik; Vandiver, Denise; Roberts, Brenda; Michael Lawson; Christensen, Patty; Roberts, Brenda
Subject: OPC's RESPONSE TO WMSI'S REQUEST FOR PROTECTIVE ORDER
Attachments: 110200-WU OPC's Response to WMSI's Request for Protective Order.pdf

Electronic Filing

a. Person responsible for this electronic filing:

Erik L. Saylor, Associate Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
(850) 488-9330
Saylor.erik@leg.state.fl.us

b. Docket No. 110200-WU

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

c. Document being filed on behalf of the Office of Public Counsel

d. There are a total of 3 pages.

e. The document attached for electronic filing is: 110200-WU OPC'S RESPONSE TO WMSI'S REQUEST FOR PROTECTIVE ORDER.

Thank you for your attention and cooperation to this request.

Monica R. Woods
Administrative Assistant
Office of Public Counsel
Phone #: 488-9330
Fax#: 487-6419

FILED BY CLERK DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for increase in water rates in
Franklin County by Water Management Services,
Inc.

DOCKET NO. 110200-WU

FILED: December 21, 2012

**CITIZENS' RESPONSE TO WATER MANAGEMENT SERVICES, INC.'S
REQUEST FOR PROTECTIVE ORDER**

The Citizens of the State of Florida, by and through the Office of Public Counsel, file this Response to Water Management Services, Inc.'s (WMSI) Request for Protective Order filed December 18, 2012. As grounds in support of this Response, Citizens state as follows:

1. Pursuant to Rule 25-22.006 (3)(a)2, Florida Administrative Code, Citizens file its objection to WMSI's request for confidential classification of certain portion of the Exhibits attached to Citizen Witness Schultz' testimony.

2. WMSI seeks confidential treatment for certain items that have been previously publically disclosed because they were provided in response to Staff's audit and for which confidential classification was not sought or was withdrawn.

3. Specifically, the balance sheets for Brown Management Group from 2007 through 2010 were provided as work papers in the 100104-WU Audit and publically disclosed. These balance sheets were provided to OPC in response to discovery. Although some of the accounts reported different balances for some accounts, these balance sheets are the ones provided in the Audit and publically disclosed, and thus not entitled to confidential treatment

4. Further, WMSI has requested confidential treatment for the 2011 balance sheet, income statement, and 2010 balance sheet statement for WMSI. Citizens object to the confidential treatment for these items because the account balances are reported on the 2011 Annual Report

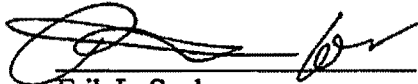
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filed with the Commission and the 2011 Trial balance was provided to Commission staff in the 110200-WU Audit work papers 57-1.2-2.4. As such, these items have been publically disclosed and are thus not entitled to confidential treatment. While the December 31, 2010 balance sheet reported different balances for some accounts, the balance sheet is the same as the one provided in response to Audit 110200-WU and publically disclosed.

5. Despite WMSI and BMG's claim that they intended this information to be treated as private, due to their failure to timely file request for confidential treatment within 21 days of the end of the audit, these items specified in Citizens response are not entitled to confidential treatment. Further, once the items have been publically disclosed, they are no longer entitled to confidential treatment and the Commission should deny WMSI's untimely request for confidential treatment.

WHEREFORE, Citizens requests that the Commission deny portions of WMSI's Request For Protective Order.

J.R. KELLY
PUBLIC COUNSEL



Erik L. Sayler
Associate Public Counsel

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Rm. 812
Tallahassee, FL 32399-1400
(850) 488-9330

Attorney for the Citizens of the State of Florida

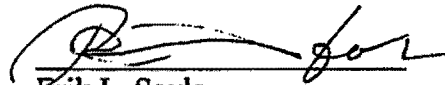
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **CITIZENS' RESPONSE TO WATER MANAGEMENT SERVICES, INC.'S REQUEST FOR PROTECTIVE ORDER** has been furnished electronically and/or by U.S. Mail on this 21st day of December, 2012, to the following:

Martha Barrera
Michael Lawson
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Mr. Gene D. Brown
Water Management Services, Inc.
250 John Knox Road, #4
Tallahassee, FL 32303-4234

Martin S. Friedman
Sundstrom, Friedman & Fumero, LLP
766 North Sun Drive, Suite 4030
Lake Mary, FL 32746-2554


Erik L. Saylor
Associate Public Counsel