

# ORIGINAL

LAW OFFICES

## ROSE, SUNDSTROM & BENTLEY, LLP

2548 BLAIRSTONE PINES DRIVE  
TALLAHASSEE, FLORIDA 32301

(850) 877-6555

FAX (850) 656-4029

www.rsbatorneys.com

CENTRAL FLORIDA OFFICE

600 S. NORTH LAKE BLVD., SUITE 160

ALTAMONTE SPRINGS, FLORIDA 32701

(407) 830-6331

FAX (407) 830-8522

May 23, 2003

VIA HAND DELIVERY

MARTIN S. FRIEDMAN, P.A.

VALERIE L. LORD, OF COUNSEL  
(LICENSED IN TEXAS ONLY)

CHRIS H. BENTLEY, P.A.

ROBERT C. BRANNAN

DAVID F. CHESTER

F. MARSHALL DETERDING

JOHN R. JENKINS, P.A.

STEVEN T. MINDLIN, P.A.

DAREN L. SHIPPY

WILLIAM E. SUNDSTROM, P.A.

DIANE D. TREMOR, P.A.

JOHN L. WHARTON

ROBERT M. C. ROSE, OF COUNSEL

WAYNE L. SCHIEFELBEIN, OF COUNSEL

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03 MAY 23 PM 4:06  
COMMISSION  
CLERK

Ms. Pat Brady  
Division of Regulatory Oversight  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Service Management Systems, Inc.; PSC Docket No. 020091-WS  
Application for TMOC  
Our File No. 36082.01

Dear Pat:

As a result of our conversations over the last few days, I am writing to address your concerns with the continuing operation and management of the utility system. As you know, Jim Bates has operated and managed the system under a management contract for quite a few years. Mr. Bates operated the system under the prior owners and continues to do so under the current ownership. While his annual contract has not been renegotiated and as a result he is currently operating on a month to month contract, that situation has been in effect for over a year and there are no immediate plans to change it. Mr. Bates continues to be an officer and director of Service Management Systems, Inc.

However, to the extent that owners determine that they wish to change oversight on management of the utility system, the utility will continue to retain other persons with both the technical and regulatory background, and experience in operation of the utility systems to enable it to provide service in conformance with all rules and regulations of the Public Service Commission and the environmental regulatory agencies. Management assures me they will always have such personnel involved in the utility operations as long as they own the systems.

If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP

  
F. Marshall Deterding  
For The Firm

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MMS \_\_\_\_\_  
SEC  FMD\tms  
OTH \_\_\_\_\_

cc: Patti Daniel  
Blanca Bayo  
Ralph Jaeger  
Robert Frazier, Jr., Esq.  
Martin Sadkin  
James Bates

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