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Public Service Commission

August 28, 2003

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Mr. James Bates
Service Management Systems, Inc.
235 Hammock Shore Drive
Melbourne Beach, Florida 32951

Re: Docket No. 021228-WS, Application for a Staff Assisted Rate Case by Service Management Systems, Inc.

Dear Mr. Bates:

By letter dated July 30, 2003, the utility requested that the Commission's vote on staff's recommendation be deferred from the scheduled agenda conference on August 5, 2003. The utility requested this deferral in order to gather information and present that information to staff that you believe was not included in staff's recommendation. Staff subsequently recommended that the item be deferred and the Commission granted that request. In order for staff to give the utility additional time to gather information, staff informed the utility's attorney that the 15-month statutory time frame would have to be waived. As of the date of this letter, the utility has not waived the statutory time frame. Therefore, if the utility does not waive the statutory time frame by September 5, 2003, staff will refile its original recommendation for the next available agenda conference.

Staff originally discussed a 76 day waiver with the utility's attorney. If the utility waives the time frame for 76 days, staff will need the additional information the you are requesting for consideration by September 12, 2003. If you need additional time, the statutory time frame should be waived beyond the 76 days previously discussed. For each additional day waived the due date for the additional information requested for consideration shall be extended respectively.

Sincerely,

Troy Rendell
Public Utilities Supervisor

AUS
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COM
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TR:rf

cc:

Division of Economic Regulation (Fitch, Sargent)
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