

Diamond Williams

110061-WS

From: Kelly Sullivan [KSullivan@deanmead.com]
Sent: Thursday, March 31, 2011 2:36 PM
To: Filings@psc.state.fl.us
Subject: Notice of Objection Docket 110061-WS
Attachments: Notice of Objection PSC Docket 110061-WS Filed (O0588891).PDF

a. This filing is made by:

Kelly Sullivan - Attorney at Law
 Dean, Mead, et al
 800 N. Magnolia Ave., Suite 1500, Orlando, FL 32803
 Phone: (407) 428-5116
 Email: ksullivan@deanmead.com

b. Docket 110061-WS

In re: Application for Authority to Transfer the Assets of Service
 Management Systems, Inc., and Certificate Nos. 517-W and 450-S to
 Aquarina Utilities, Inc. in Brevard County, Florida.

c. Filed on behalf of:

Aquarina Community Services Association, Inc.
 450 Aquarina Boulevard
 Melbourne Beach, FL 32951

d. Attached hereto is a Notice of Objection to the Transfer which is the subject of Docket 110061-WS. There are 4 pages.

Thank you,
 Kelly Sullivan

	<p>Kelly Sullivan Attorney at Law 407-428-5116 KSullivan@deanmead.com cell: 407-489-4206</p>
<p>Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A. 800 North Magnolia Avenue, Suite 1500 Orlando, Florida 32803 407-841-1200 · Fax 407-423-1831 www.deanmead.com · www.floridatrustsestatesblog.com</p>	
<p>Orlando Fort Pierce Viera Gainesville</p>	

Handwritten:
 3-31-11
 Kelly Sullivan
 added to
 the filing

DOCUMENT NUMBER-DATE

02106 MAR 31 =

FPSC-COMMISSION CLERK

3/31/2011

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Authority to Transfer
the Assets of Service Management Systems,
Inc., and Certificate Nos. 517-W and 450-S
to Aquarina Utilities, Inc. in Brevard County,
Florida

DOCKET NO.: 110061-WS

FILED: March 31, 2011

Notice of Objection

Pursuant to section 367.045(3), Florida Statutes, Aquarina Community Services Association, Inc., through its undersigned attorney, hereby files a Notice of Objection in the above-captioned docket. In support thereof, the petitioner states as follows:

1. Name and address of the affected agency:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

2. Name and address of the petitioner:

Aquarina Community Services Association, Inc.
450 Aquarina Boulevard
Melbourne Beach, FL 32951

3. Service. The name and address of the person authorized to receive notices and communications in respect to this Application is:

Kelly Sullivan - Attorney at Law
Dean, Mead, et al
800 N. Magnolia Ave., Suite 1500, Orlando, FL 32803
Phone: (407) 428-5116
Email: ksullivan@deanmead.com

DOCUMENT NUMBER - DATE

02106 MAR 31 =

FPSC-COMMISSION CLERK

4. Notice of Docket. Petitioner received notice of this docket from Aquarina Utilities, Inc., and from reviewing the above-captioned docket on the Florida Public Service Commission (FPSC) website.

5. Statement of Substantial Interests. Petitioner is the homeowner's association for the Aquarina community which was served by Service Management Systems, Inc. and receives water and wastewater service at the above-listed address. The Service Management Systems, Inc. water and wastewater bill constitutes a significant portion of the petitioner's monthly expenses. The petitioner has a substantial interest in the above-captioned docket as Commission approval of the transfer will impact petitioner's ability to perform its duties to the community. Based upon the above, petitioner, through its undersigned attorney, hereby files a Petition to Intervene in the above-captioned docket to protect its substantial interests and due process rights in the proceeding.

6. Standing. Petitioner is a customer of Service Management Systems, Inc., and receives water and wastewater service at the above-listed address. The petitioner has a substantial interest in the above-captioned docket as Commission approval of the transfer will impact its ability to perform its duties to the community. Accordingly, the proceeding in the above-captioned docket directly coincides with the substantial interests of the petitioner to ensure the community is served by a utility with rates that are fair, just, and reasonable.

7. Objection. Petitioner hereby provides Notice of Objection as required by section 367.071, Florida Statutes in the above-captioned docket on the basis set forth in Paragraphs 1-6 above.

WHEREFORE, the petitioner respectfully requests the Commission to enter petitioner's name as an interested party in the above-captioned docket.

s/ Kelly Sullivan
Kelly Sullivan - Attorney at Law
Attorney for Petitioner
Florida Bar No. 814024
800 N. Magnolia Ave.
Orlando, FL 32803
Phone: (407) 428-5116
Email: ksullivan@deanmead.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following via Electronic Mail this 31st day of March, 2011 to all parties of record as indicated below.

s/ Kelly Sullivan
Kelly Sullivan - Attorney at Law
Attorney for Petitioner
Florida Bar No. 814024
800 N. Magnolia Ave.
Orlando, FL 32803
Phone: (407) 428-5116
Email: ksullivan@deanmead.com

<p>Martin S. Friedman, Esquire Rose, Sundstrom & Bentley, LLP 766 N. Sun Drive, Suite 4030 Lake Mary, FL 32746 PHONE: (407) 830-6331 FAX: (407) 830-8522 E-MAIL: mfriedman@rsbattorneys.com</p> <p>James I. Minnes 208 Osprey Villas Court Melbourne Beach, FL 32951 Phone: 321-327-5477 Email: minnes.j@gmail.com</p>	<p>Service Management Systems, Inc. Mr. Dennis Basile, Receiver 826 Creel Street Melbourne, FL 32935-5992 Phone: (321) 751-1200 FAX: (321) 427-9560 Email: dennis@dbasile.com</p>
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