

Diamond Williams

From: Trina Collins [TCollins@RSBattorneys.com]
Sent: Wednesday, July 13, 2011 4:29 PM
To: Filings@psc.state.fl.us
Cc: Reilly.steve@leg.state.fl.us; Martin Friedman; Trina Collins
Subject: Filing in Docket No. 110061-WS; 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, FL

Importance: High

Attachments: PSC Clerk 08 (Motion for Temporary Protective Order).ltr.07-13-2011(4).pdf

- a. Martin S. Friedman, Esq.
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- b. Docket No. 110061-WS; 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, FL - Filing Aquarina Utilities, Inc.'s Motion for Temporary Protective Order.
- c. Aquarina Utilities, Inc.
- d. 4 Pages.
- e. Letter to Commission Clerk - 1 page; and Motion for Temporary Protective Order - 3 pages.

DOCUMENT NUMBER-DATE

04820 JUL 13 =

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7/13/2011

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July 13, 2011

VIA E-FILING

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Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
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Tallahassee, FL 32399

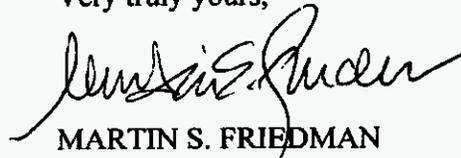
RE: Docket No. 110061-WS; Application for Authority to Transfer the Assets of Service Management Systems, Inc., and Certificate Nos. 517-W and 450-S to Aquarina Utilities, Inc. in Brevard County, Florida
Our File No.: 45052.01

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is Aquarina Utilities, Inc.'s Motion for Temporary Protective Order.

Should you or the Staff have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

MSF/tlc
Enclosures

cc: Kelly Sullivan, Esquire (w/enclosures)
Mr. James I. Minnes (w/enclosures)
Anna Norris, Esquire, Office of the General Counsel (w/enclosures)
J.R. Kelly/Stephen C. Reilly, Esquire, Office of Public Counsel (w/enclosures)
Mr. Reginald J. Burge (w/enclosures)

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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 in Brevard County,)
Florida to AQUARINA UTILITIES, INC.)
_____)

DOCKET NO. 110061-WS

AQUARINA UTILITIES, INC.'S
MOTION FOR TEMPORARY PROTECTIVE ORDER

AQUARINA UTILITIES, INC. (the "Utility"), by and through its undersigned counsel, and pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, files this Motion for Temporary Protective Order to exempt from Section 119.07(1), Florida Statutes, certain confidential information submitted to the Office of Public Counsel ("OPC") in response to OPC's informal data request (the "Confidential Information"). As grounds therefore, the Utility states:

1. OPC, via an informal data request pursuant to a settlement conference, has requested proprietary and confidential financial information of the primary shareholder of the Utility, to be treated as strictly confidential. This Confidential Information is kept confidential by the Utility and its primary shareholder since disclosure of the Confidential Information would invade the privacy rights of the primary shareholder and be in conflict with Article I, Section 23 of the Florida Constitution.

2. The Confidential Information is proprietary confidential business information. Under Section 367.156, Florida Statutes, this Commission has the authority to classify certain material as proprietary confidential business information thereby exempting the material from public disclosure under Section 119.07(1), Florida Statutes.

3. Pursuant to Rule 25-22.006(c), the Utility will make the Confidential Information available to OPC for inspection to determine whether the Confidential Information will be used

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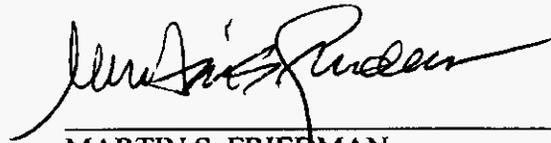
in a proceeding, and will make the Confidential Information available to Staff upon issuance of the protective order.

4. Pursuant to Rule 25-22.006(c), OPC must return the Confidential Information to the Utility if the Confidential Information will not be used in a proceeding. If OPC intends to use the Confidential Information in a proceeding, then OPC must notify the Utility so that the Utility may move for a full protective order under Rule 25-22.006(a).

WHEREFORE, AQUARINA UTILITIES, INC. prays for a temporary protective order against public disclosure of the Confidential Information.

Respectfully submitted on this 13th day of
July, 2011 by:

ROSE, SUNDSTROM & BENTLEY, LLP
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MARTIN S. FRIEDMAN
For the Firm
Attorney for Applicant

CERTIFICATE OF SERVICE
DOCKET NO. 110061-WS

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Temporary Protective Order has been E-Filed with the PSC Clerk and furnished by U.S. Mail to the following parties this 13th day of July, 2011:

Kelly Sullivan, Esquire
Dean Mead Law Firm
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Attorney for Petitioner

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