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COMMISSION
CLERK

October 13, 2011

Ms. Ann Cole
Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: 1st District Court of Appeal Case No. 1D11-1656-Water Management
Services, Inc. vs. Florida Public Service Commission (Docket No. 100104-WU)

Dear Ms. Cole:

This office represents Water Management Services, Inc. in the above-referenced appeal. According to my calculations, the record should be filed in the First District Court of Appeal on or before November 21, 2011.

We share a mutual responsibility to make sure the record is prepared and transmitted in accord with Rule 9.200(d) of the Florida Rules of Appellate Procedure which provides, in part, as follows:

(1) The clerk of the lower tribunal shall prepare the record as follows:

(A) . . . The transcript of the trial shall be incorporated at the end of the record and shall not be renumbered by the clerk.

(B) The remainder of the record, including all supplements and any transcripts other than the transcript of the trial, shall be consecutively numbered. The record shall be securely bound in consecutively numbered volumes not to exceed 200 pages each. The cover sheet of each volume shall contain the name of the lower tribunal and the style and number of the case.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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I have reviewed your letter to Maggie McCall with the attached index. I have also reviewed the indexed documents on the PSC website. However, it is not clear to me that the record is being prepared in accord with the above-referenced provisions of the Rule.

Please give me your thoughts on compliance with these requirements so my client and I can meet our responsibility under Rule 9.200(e), which provides as follows:

(e) Duties of Appellant or Petitioner. The burden to ensure that the record is prepared and transmitted in accordance with these rules shall be on the petitioner or appellant. Any party may enforce the provisions of this rule by motion.

Also, please file this letter in the above-styled docket.

Sincerely,



C. Vincent LoCurto

cc: Water Management Services, Inc.
Rosanne Gervasi, Office of the General Counsel
Samantha Cibula, Office of the General Counsel
Joseph McGlothlin, Office of the Public Counsel
J. R. Kelly, Public Counsel