

THE LOCURTO LAW FIRM, P.A.
2804 Remington Green Circle
First Floor
Tallahassee, FL 32308
Phone (850) 566-1601 Fax (850) 727-8656
Web: www.locurtolaw.com
Email: cvl@locurtolaw.com

November 9, 2011

Via Email: acole@psc.state.fl.us and Regular U.S. Mail

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

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COMMISSION
CLERK

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:

Please accept this letter which is intended solely to assist your office in achieving our common objective (and Appellant's responsibility) of ensuring that a corrected record which is easily and specifically cited to by page number and helpful for *all appellate counsel* in this matter.

It occurred to me, following entry of the Court's Order Granting Appellant's Motion to Correct Record, entered on November 3, 2011, that one of the sources of the page number discrepancies between the record your office filed and the entire record on file with the 1st DCA is the fact that your "index to the record", which itself is thirteen (13) pages, is not actually made part of the "page numbered record". Also the "cover pages" of each volume, which are helpful to organization, are also not numbered and therefore not part of the numbered electronic record on appeal. This alone accounts for several pages in numerical discrepancy between the record filed and the complete electronic record on file with the 1st DCA Clerk. Stated simply, I would respectfully suggest that every page of your record filed with the 1st DCA be assigned an actual page number so that the overall numbering system is consistent and each page can be cited precisely by its number in the 1st DCA's electronic record.

Despite the risk of making what appears to be a somewhat "obvious" point I hope that it is helpful to your efforts. All record counsel are copied on this correspondence.

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November 9, 2011,
Ms. Ann Cole
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If there is anything at all Appellant can do to assist you in your efforts to file the corrected record please do not hesitate to call upon me. Thank you for your kind courtesy and assistance with regard to this matter.

Sincerely,

//s//

C. Vincent LoCurto

CVL/sc

Cc: All record counsel as indicated:

J.R. Kelley, Esq.:	kelly.jr@leg.state.fl.us
Joseph A. Mcglothlin, Esq.:	mcglothlin.joseph@leg.state.fl.us
Erik Sayler, Esq.:	elsayler@hotmail.com
Curt Kiser:	ckiser@psc.state.fl.us
Ralph R. Jaeger:	rjaeger@psc.state.fl.us
Mary Ann Heltdon, Esq.:	mhelton@psc.state.fl.us
Rosanne Gervasi, Esq.:	rgervasi@psc.state.fl.us

Bcc: Water Management Services, Inc.