

Eric Fryson

From: Dana Rudolf [drudolf@sflaw.com]
Sent: Monday, October 29, 2012 1:51 PM
To: Filings@psc.state.fl.us
Cc: Martin Friedman; SAYLER.ERIK@leg.state.fl.us; Martha Barrera; Lisa Bennett
Subject: Docket No. 110200-WU; Application for increase in water rates in Franklin County by Water Management Services, Inc.

Attachments: Objection to OPC 3rd Interrogatories.pdf

- a) Martin S. Friedman, Esquire
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- b) Docket No. 110200-WU
Application for increase in water rates in Franklin County by Water Management Services, Inc.
- c) Water Management Services, Inc.
- d) 3 pages
- e) Objection to Citizens' Third Set of Interrogatories

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Application for Increase in Water Rates
in Franklin County by Water
Management Services, Inc.

Docket No.: 110200-WU

**WATER MANAGEMENT SERVICES, INC.'S
OBJECTION TO CITIZENS' THIRD SET OF INTERROGATORIES**

WATER MANAGEMENT SERVICES, INC. ("WMSI"), by and through its undersigned attorneys, files this Objection to Citizens' Third Set of Interrogatories (Nos. 25-42) and states as follows:

At the outset, WMSI would point out that the "Instructions" will be ignored to the extent they exceed the requirements of Fla. R. Civ. P. 1.340. To the extent any Interrogatory response requires the production of documents, WMSI objects to providing electronic data responses with formulae, links, and cells, formatting, metadata and other original features intact. Production in such format would result in the disclosure of attorney work product and would tempt OPC's counsel to be unethical and unprofessional (again) by obtaining confidential information including metadata. Further, it is a breach of duty to a client for the undersigned to provide documents containing metadata. See, Professional Ethics of The Florida Bar, Opinion 06-2 (Sept. 15, 2006). Unfortunately, as is made clear in OPC's discovery, as well as the actions of its attorney, this case has taken on a personal aspect with OPC.

38 - 42.

Objection. These questions seek responses that are neither relevant to the issues in dispute in this action nor reasonably calculated to lead to the discovery of admissible evidence. Merely mentioning Account 123 does not make the question relevant. Account

DOCUMENT NUMBER-DATE

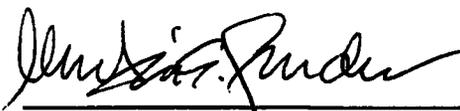
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FPSC-COMMISSION CLERK

123 is very specific and is not a carte blanche basis to inquire into everything related to the Utility's business relationships. This question is nothing more than a harassing fishing expedition. Whether WMSI has or has not met certain financial responsibilities has no impact on the rates customers pay. Late fees and bank charges are routinely removed as expenses upon which rates are based and interest expense is not included in rates. Notwithstanding the financial challenges which WMSI has faced as acknowledged by this Commission in prior Orders, WMSI provides good quality of service to its customers. These financial challenges are exacerbated by OPC's attorney's efforts to kill financing opportunities of WMSI. Account 123 is a red herring which OPC has raised to allow it to make personal attacks on Mr. Brown. It cannot be shown that customers have paid an additional rates as a result of this account.

Respectfully submitted this 29th day of
October, 2012, by:

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For the Firm

CERTIFICATE OF SERVICE
DOCKET NO. 110200-WU

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail and E-Mail to the following parties this 29th day of October 2012:

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