

Eric Fryson

From: Dana Rudolf [drudolf@sfflaw.com]
Sent: Monday, January 07, 2013 4:57 PM
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Subject: Docket No. 110200-WU; Application for increase in water rates in Franklin County by Water Management Services, Inc.

Attachments: Motion for Order Prohibiting Interference.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) Motion for Order Prohibiting Interference With Financing

DOCUMENT NUMBER-DATE
00120 JAN-7 2013
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for an increase in
water rates in Franklin County by
WATER MANAGEMENT SERVICES, INC.

Docket No. 110200-WU

MOTION FOR ORDER PROHIBITING INTERFERENCE WITH FINANCING

WATER MANAGEMENT SERVICES, INC. ("WMSI"), by and through its undersigned attorneys, hereby requests this Commission issue an Order prohibiting Office of Public Counsel ("OPC"), its employees or agents from contacting Citizens Bank of Perry or any prospective lender of WMSI and in support thereof states:

1. OPC previously killed WMSI's financing with Fidelity Bank as explained in the prefiled rebuttal testimony of Gene Brown, previously filed in this Docket.

2. In response to questions from Staff in his deposition on January 4, 2013, Gene Brown was understandably reluctant to discuss the details of the progress he was making towards obtaining financing for the improvements previously approved by the Commission in this Docket.

3. However, in response to Staff's Fourth Interrogatories filed simultaneously herewith, WMSI has disclosed its prospective lender. Due to OPC's past history of conduct regarding WMSI, particularly with regard to killing the Fidelity Bank financing, WMSI is compelled to request this Commission impose a restriction on OPC from contacting Citizens Bank of Perry, or any other prospective lender of WMSI.

4. It is in the best interest of the customer of WMSI that the improvements to the water storage tank be completed as soon as possible, and the financing is necessary to accomplish that project.

DOCUMENT NUMBER-DATE

00120 JAN-7 2

FPSC-COMMISSION CLERK

5. Pursuant to this Commission's authority pursuant to Section 367.121(g), Florida Statutes, this Commission has the power to enjoin OPC, its employees and agents from interfering with WMSI's efforts to comply with PSC Orders.

WHEREFORE, WMSI requests this Commission issue an Order prohibiting OPC, its employees and agents from contacting Citizens Bank of Perry, or any prospective lender to WMSI.

Respectfully submitted this 7th day of January, 2013, by:

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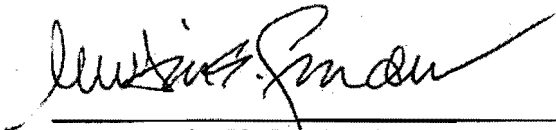
MARTIN S. FRIEDMAN
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For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by E-Mail and U.S. Mail this 7th day of January, 2013, to:

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