

STATE OF FLORIDA

ORIGINAL

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DIVISION OF LEGAL SERVICES
 NOREEN S. DAVIS
 DIRECTOR
 (850) 413-6199

Public Service Commission

November 30, 1998

Mr. Stanley Busk
 c/o Stan's Lock Shop
 912 Maple Wood
 Tavares, Florida 32778

VIA CERTIFIED MAIL

RE: Delinquent Regulatory Assessment Fees and Annual Reports

Dear Mr. Busk:

According to our records, you owned Forty-Eight Estates Water System until it was abandoned in 1994. At that time, J. Swiderski Utilities, Inc. became the receiver of the utility. However, because you were the owner in 1992 and 1993, you remain responsible for payment of all outstanding regulatory assessment fees (RAFs).

A review of our records indicates that Forty-Eight Estates Water System did not pay RAFs for 1992 and 1993, as required by Section 367.145, Florida Statutes. Pursuant to Rule 25-30.120(2), Florida Administrative Code, RAFs must be paid by March 31st of each year. The Commission may impose administrative penalties plus interest for noncompliance as provided for under Rule 25-30.120(7), Florida Administrative Code. Staff has determined that you owe the following RAFs, plus penalties and interest, as of April 1998:

ACK _____	<u>YEAR</u>	<u>RAFs</u>	<u>PENALTY</u>	<u>INTEREST</u>	<u>TOTAL</u>
AFA _____	1992	\$354.97	\$88.74	\$252.03	\$695.74
APP _____					
CAF _____	1993	\$366.61	\$91.65	\$212.63	\$670.89

CMU _____ In addition, Forty-Eight Estates did not file 1992 and 1993 annual reports, as required by Rule
 CTR _____ 25-110, Florida Administrative Code. Rule 25-30.110, Florida Administrative Code, requires
 EAG _____ utilities subject to the Commission's jurisdiction as of December 31 of each year to file an annual
 LEG _____ report on or before March 31 of the following year. Pursuant to Rule 25-30.110(6)(c), Florida
 LIN _____ Administrative Code, any utility that fails to file a timely, complete annual report is subject to
 OPC _____ penalties, absent demonstration of good cause for noncompliance. The penalty set out in Rule 25-
 RCH _____ 30.110(7), Florida Administrative Code, for Class C utilities is \$3.00 per day. Therefore, you, as
 owner of the utility in 1992 and 1993, owe the following:

SEC 1
 WAS _____
 OTH _____

DOCUMENT NUMBER: DATE
 1341 - NOV 30 98
 PSC-RECORDS/REPORTING

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<u>Year</u>	<u>No. of Days</u>	X	<u>Penalty</u>	=	<u>Total</u>
1992	2,101		\$ 3.00		\$6,303.00
1993	1,736		\$ 3.00		\$5,208.00

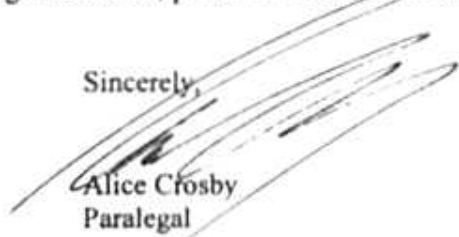
Please submit the balance owed by check made payable to the Florida Public Service Commission. Your payment is due on or before December 21, 1998, and should be mailed with a copy of this letter to the Bureau of Fiscal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, Attention: Evelyn Sewell.

Your 1992 and 1993 annual reports are likewise due on or before December 21, 1998, and should be mailed with a copy of this letter to the Division of Water and Wastewater, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, Attention: Charles Hill, Director.

Pursuant to Rule 25-30.120(7)(a)(2), Florida Administrative Code, you, as owner of Forty-Eight Estates Water System during 1992 and 1993, have an ongoing responsibility to pay interest of one percent every thirty days on the unpaid balance of the RAFs. Please be aware that the above-referenced amounts have been calculated as of December 31, 1998. Also, as stated previously, a utility is required to file annual reports by March 31 for the previous year. The amounts owed are subject to change and any delay in payment past December 21, 1998, may subject you to a greater amount. Furthermore, if payment is not made by the date indicated in this letter, the Division of Legal Services may initiate show cause proceedings and recommend assessment of fines in excess of the daily rate pursuant to Rule 25-30.120, Florida Administrative Code. If show cause proceedings are initiated, and you, as owner of the utility in 1992 and 1993, are found to be in violation of Commission rules, pursuant to Section 367.161, Florida Statutes, the Commission is authorized to impose fines of up to \$5,000 for each day the violation continues.

If you have any questions regarding this matter, please do not hesitate to call me at (850) 413-6222.

Sincerely,


Alice Crosby
Paralegal

ALC/lw

cc: Division of Administrative (Sewell)
Division of Water & Wastewater (Chase)