REQUEST TO ESTABLISH DOCKET

(PLEASE TYPE)

Date___6/5/01___

Docket	No	0	1	0	8	J	2	-65	

 Division Name/Staff Name_Division of Legal Services-Lorena Espinoza
 OPR_Division of Legal Services-Lorena Espinoza
 OCR_Division of Economic Regulation-Karen Peacock, Rhonda Hicks
 Suggested Docket Title_Initiation of show cause proceedings against New River Ranch L.C. d/b/a River Ranch in Polk County for violation of Rule 25-30.110(3), F.A.C., Annual Report, and Rule 25-30.120, F.A.C., Regulatory Assessment Fees.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.

B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

Brian Sparks 3200 River Ranch Road #469 River Ranch, FL 33867

2. Interested Persons and their representatives (if any)

Andrew J. Bolnick, Receiver	
New River Ranch L.C. d/b/a	·
River Ranch	•
2555 Enterprise Road, Suite	12 <u>A</u>
Clearwater, FL 33763	

6. Check one:

X Documentation is attached.

_____ Documentation will be provided with the recommendation.

I:\PSC\RAR\WP\ESTDKT. PSC/RAR 10 (Revised 01/96) DOCUMENT NUMBER - DATE-07044 JUN-55 FPSC-RECONDEZREPORTING

STATE OF FLORIDA

Commissioners: E. Leon Jacobs, Jr., Chairman J. Terry Deason Lila A. Jaber Braulio L. Baez Michael A. Palecki



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

Public Service Commission

January 29, 2001

Mr. Brian Sparks 3200 River Ranch Road #469 River Ranch, Florida 33867 VIA CERTIFIED MAIL 7000 0600 0027 1507 2641

Re: Delinquent Annual Reports and Regulatory Assessment Fees

Dear Mr. Sparks:

On November 16, 2000, a letter was sent to you regarding outstanding regulatory assessment fees and annual reports (copy attached). According to our records, New River Ranch, L.C. d/b/a River Ranch has not filed its 1998 and 1999 annual reports, pursuant to Rule 25-30.110, Florida Administrative Code, or paid regulatory assessment fees for 1997, 1998 and 1999, pursuant to Rule 25-30.120, Florida Administrative Code.

Pursuant to Rule 25-30.110(3), Florida Administrative Code, annual reports are due on March 31 of each year. Because River Ranch has failed to file these annual reports, the utility is accruing penalties, as provided by Rule 25-30.110(6) and (7), Florida Administrative Code. Rule 25-30.110(7)(b), Florida administrative Code, states, in part, "the penalty for delinquent reports shall accrue based on the utility's classification . . ." The applicable penalty for River Ranch, as a Class C utility, is set forth below.

Year	Time <u>Elapsed</u>	Penalty Fees (\$3.00 per Day)
1998 (3-31-99 - 4-26-99)	26 days	\$ 78.00
1998 (6-30-99 - 2-28-01)	609 days	\$1,827.00
1999 (3-31-99 - 2-28-01)	365 days	\$1,095.00
Т	OTAL	<u>\$3,000.00</u>

The above-referenced penalty has been calculated as of February 28, 2001. The penalty is subject to change and increase over time, and any delay in payment past February 28, 2001, will subject you to additional penalties and interest. Please submit payment of \$3,000.00 by check made payable to the Florida Public Service Commission. Payment should be mailed with a copy of this

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PSC Website: http://www.floridapsc.com

Mr. Brian Sparks Page 2 January 29, 2001

letter to the Bureau of Fiscal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, Attention: Ms. Evelyn Sewell.

Your 1998 and 1999 annual reports are due on or before February 28, 2001, and should be mailed with a copy of this letter to the Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, Attention: Tim Devlin, Director.

Pursuant to Rule 25-30.120(2), Florida Administrative Code, regulatory assessment fees must be paid by March 31 of each year. Administrative penalties plus interest, may be imposed as provided for under Rule 25-30.120(7), Florida Administrative Code. After reviewing the available information, we have determined that River Ranch owes the following:

Year	×	<u>Revenues</u>	Regulatory Assessment Fees	Penalty	Interest	Total
1 997	Water Wastewater	\$41,913.70 \$30,351.30	\$1,886.12 \$1,365.81	\$471.53 \$341.45	\$679.00 \$491.68	\$ 3,036.65 <u>\$ 2,198.94</u> \$ 5,235.59
1998	Water Wastewater	\$42,793.89 \$30,988.68	\$1,925.73 \$1,394.49	\$481.43 \$348.62	\$462.18 \$334.67	\$ 2,869.34 <u>\$ 2,077.78</u> \$ 4,947.12
19 99	Water Wastewater	\$43,311.70 \$31,363.64	\$1,949.03 \$1,411.36	\$487.26 \$352.84	\$233.88 \$169.36	\$ 2,670.17 <u>\$ 1.933.57</u> \$ 4,603.74
					TOTAL	\$14,786.45

Pursuant to Rule 25-30.120(7)(a)(2), Florida Administrative Code, River Ranch continues to be responsible for payment of all outstanding regulatory assessment fees and penalties. Further, River Ranch is responsible for paying interest of one percent every thirty days on the unpaid balance of the regulatory assessment fees. The amounts set forth herein have been calculated as of February 28, 2001. Any delay in payment past February 28, 2001, may subject you to additional penalties and interest. Therefore, please submit payment of \$14,786.45 by check made payable to the Florida Public Service Commission.

Your payment of the amounts set forth herein are due on or before February 28, 2001, and should be mailed with a copy of this letter to the Bureau of Fiscal Services, Florida Public Service

Mr. Brian Sparks Page 3 January 29, 2001

Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, Attention: Ms. Evelyn Sewell.

If payment is not been received by February 28, 2001, the Commission may initiate show cause proceedings. If show cause proceedings are initiated, and the utility is 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.

Do not hesitate to contact me at (850) 413-6222 if you have any questions regarding the matters discussed herein.

Sincerely, hce L. Crosby Paralegal

ALC/dm/lw

Attachment

cc: Division of Records and Reporting Division of Administration (Sewell) Division of Regulatory Oversight (Messer, Daniel, Redemann) Division of Economic Regulation (McCaskill) Division of Legal Services (Gervasi)

I\SPARKS1.ALC

Commissioners: J. TERRY DEASON, CHAIRMAN E. LEON JACOBS, JR. LILA A. JABER BRAULIO L. BAEZ



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

Public Service Commission

November 16, 2000

Mr. Brian Sparks River Ranch American Resorts, Inc. Post Office Box 30030 River Ranch, Florida 33867

VIA CERTIFIED MAIL

Re: Delinquent Annual Reports and Regulatory Assessment Fees

Dear Mr. Sparks:

According to our records, New River Ranch, L.C. d/b/a River Ranch has not filed its 1998 and 1999 annual reports, pursuant to Rule 25-30.110, Florida Administrative Code. Our records also indicate that River Ranch has not paid regulatory assessment fees for 1998 and 1999, pursuant to Rule 25-30.120, Florida Administrative Code.

Pursuant to Rule 25-30.110(3), Florida Administrative Code, annual reports are due on March 31 of each year. Our records indicate that, although not timely filed, River Ranch Anerican Resorts, Inc. requested and received an extension of time in which to file the 1998 annual reports. The amounts shown below include a late filing fee for the period from March 31, 1999, through April 26, 1999*. The utility did not request an extension of time to file the 1999 annual report. Because River Ranch has failed to file these annual reports, the utility is accruing penalties, as provided by Rule 25-30.110(6) and (7), Florida Administrative Code.

Pursuant to Rule 25-30.110(7)(b), Florida administrative Code, "the penalty for delinquent reports shall accrue based on the utility's classification \dots " The applicable penalty for River Ranch, as a Class C utility, is set forth below.

Year	Time <u>Elapsed</u>	Penalty Fees (\$3.00 per Day)
1998 (3-31 -99 - 4-26-99)	26 days	\$ 78.00*
1998 (6-30-99 - 11-30-00)	519 days	\$1,557.00
1999 (3-31-99 - 11-30-00)	244 days	\$ 732.00
т	OTAL	<u>\$2,367.00</u>

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Internet E-mail: contact@psc.state.fl.us

Mr. Brian Sparks November 16, 2000 Page 2

The above-referenced penalty has been calculated as of November 30, 2000. The penalty is subject to change and increase over time, and any delay in payment past November 30, 2000, may subject you to additional penalties and interest. Please submit payment of \$2,367.00 by check made payable to the Florida Public Service Commission. Payment of the penalty 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: Ms. Evelyn Sewell.

Your 1998 and 1999 annual reports are likewise due on or before November 30, 2000, and should be mailed with a copy of this letter to the Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, Attention: Tim Devlin, Director.

With regard to regulatory assessment fees, pursuant to Rule 25-30.120(2), Florida Administrative Code, regulatory assessment fees must be paid by March 31 of each year. The Commission may impose administrative penalties plus interest, as provided for under Rule 25-30.120(7), Florida Administrative Code. After reviewing the available information, we have determined that River Ranch owes the following:

Year		<u>Revenues</u>	Regulatory Assessment <u>Fees</u>	<u>Penalty</u>	Interest	Total
1 997	Water Wastewater	\$41,913.70 \$30,351.30	\$1,886.12 \$1,365.81	\$471.53 \$341.45	\$622.42 \$450.72	\$ 2,980.07 <u>\$ 2,257.98</u> \$ 5,138.05
1998	Water Wastewater	\$42,793.89 \$30,988.68	\$1,925.73 \$1,394.49	\$481.43 \$348.62	\$404.40 \$292.84	\$ 2,811.56 <u>\$ 2,035.95</u> \$ 4,847.51
19 99	Water Wastewater	\$43,311.70 \$31,363.64	\$1,949.03 \$1,411.36	\$487.26 \$352.84	\$175.41 \$127.02	. \$ 2,611.70 <u>\$ 1.891.22</u> \$ 4,502.92
		•			TOTAL	<u>\$14,488.48</u>

Pursuant to Rule 25-30.120(7)(a)(2), Florida Administrative Code, River Ranch has an ongoing responsibility to pay interest of one percent every thirty days on the unpaid balance of the regulatory assessment fees. The amounts shown above have been calculated as of November 30, 2000. The amounts are subject to change and increase over time, and any delay in payment past

Mr. Brian Sparks November 16, 2000 Page 3

November 30, 2000, may subject you to additional penalties and interest. Therefore, please submit payment of \$14,488.48 by check made payable to the Florida Public Service Commission.

Your payment of the amounts set forth above are due on or before November 30, 2000, 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: Ms. Evelyn Sewell.

In addition, if payment has not been received by November 30, 2000, the Commission may initiate show cause proceedings. Show cause proceedings may also be initiated if the 1998 and 1999 annual reports are not timely filed in a form and manner which comports with Rule 25-30.110, Florida Administrative Code. If show cause proceedings are initiated, and the utility is 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.

Do not hesitate to contact me at (850) 413-6222 if you have any questions regarding the matters discussed herein.

Sincerely,

Alice L. Crosby Paralegal

ALC/dm

cc: Division of Records and Reporting Division of Administration (Sewell) Division of Regulatory Oversight (Messer, Daniel, Redemann) Division of Economic Regulation (McCaskill) Division of Legal Services (Gervasi)

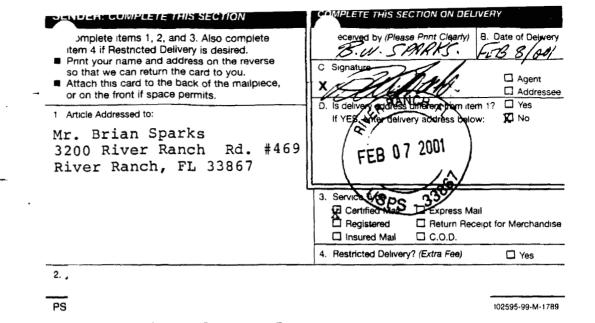
I MEGILL ALC

•	SENDER: COMPLETE THIS		COMPLETE THIS SECTION ON DE	
	 Complete items 1, 2, and 3. item 4 if Restricted Delivery Print your name and address 	is desired.	A. Received by (Please Print Clearly)	8. Date of Delivery
	 Attach this card to the back or on the front if space perm 	rd to you. of the mailpiece,	C. Signature	Agent
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	Mr. Brian Sparks 3200 River Ranch River Ranch, FL	n Rd. #469		
			3. Service Type 2 Certified Mail Express M Registered Return Red Insured Mail C.O.D.	ali Seipt for Merchandise
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STATE OF FLORIDA

Commissioners: J. TERRY DEASON, CHAIRMAN E. LEON JACOBS, JR. LILA A. JABER BRAULIO L. BAEZ



DIVISION OF REGULATORY OVERSIGHT DANIEL M. HOPPE, DIRECTOR (850) 413-6480

Public Service Commission

December 1, 2000

RE:	NEW RIVER RANCH L.C. d/b/a RIVER RANCH, COMPANY CODE NO. WS797
FROM:	DIVISION OF REGULATORY OVERSIGHT (MESSER)
TO:	DIVISION OF RECORDS AND REPORTING (BAYO)

Attached is a letter from the attorney representing the bank which has foreclosed on this utility. A receiver has been appointed for the utility system. Therefore, for correspondance purposes, the name and address that should be listed in the master commission directory for contacting this utility is the following:

Mr. Andrew J. Bolnick, Receiver New River Ranch L.C. d/b/a River Ranch 2555 Enterprise Road Suite 12A Clearwater, Fl 33763

Phone number: (727) 791-4454

Attachment

cc: Division of Regulatory Oversight (Walden) Division of Economic Regulation (McCaskill) Division of Legal Services (Gervasi, Crosby)

FOLEY & LARDNER

ATTORNEYS AT LAW

POST OFFICE BOX 2193 ORLANDO, FLORIDA 32802-2193 111 NORTH ORANGE AVENUE, SUITE 1800 ORLANDO, FLORIDA 32801-2343 TELEPHONE: (407) 423-7656 FACSIMILE: (407) 648-1743

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WRITER'S DIRECT LINE 244-3234

November 22, 2000

ORLANDO SACRAMENTO SAN FRANCISCO TALLAHASSEE TAMPA WASHINGTON, D.C. WEST PALM BEACH

CLIENT/MATTER NUMBER 087650/0125

email aodress eavery-smith@foleylaw.com

BRUSSELS

CHICAGO

DENVER

DETROIT

MADISON MILWAUKEE

JACKSONVILLE

LOS ANGELES

Billie Messer Florida Public Service Commission Capital Circle Office Center 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: River Ranch, Polk County, Florida

Dear Ms. Messer:

I would like to thank you and your colleagues at the Florida Public Service Commission for meeting with me to review the tasks that must be taken by Andrew J. Bolnick, as Receiver of the River Ranch property, in order to comply with state regulations and potentially undergo a staff assisted rate case. As you know, Mr. Bolnick was appointed Receiver of the River Ranch property in March 2000 and is responsible for preserving the value of that property. As Receiver, Mr. Bolnick will be your contact person related to the River Ranch property. His address is 2555 Enterprise Road, Suite 12A, Clearwater, Florida 33763, and his telephone number is (727) 791-4454. Mr. Bolnick is in the process of trying to locate any existing records for the water and wastewater utilities at River Ranch. He will keep you apprised of his progress. If you have any further questions or need additional information about River Ranch, please contact Mr. Bolnick and he will be glad to answer any of your inquiries. Thank you.

Sincerely yours,

Ellen Avery-Smith

RECEIVED

NOV 27 2000

Floride Public Service Commission Division of Regulatory Oversight

EAS:dr Cc: Andrew J. Bolnick John D'Errico Mark Wolfson Commissioners: J. TERRY DEASON, CHAIRMAN E. LEON JACOBS, JR.-LILA A. JABER BRAULIO L. BAEZ



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

Public Service Commission

November 16, 2000

Mr. Brian Sparks
 River Ranch American Resorts, Inc.
 Post Office Box 30030
 River Ranch, Florida 33867

VIA CERTIFIED MAIL

Re: Delinquent Annual Reports and Regulatory Assessment Fees

Dear Mr. Sparks:

According to our records, New River Ranch, L.C. d/b/a River Ranch has not filed its 1998 and 1999 annual reports, pursuant to Rule 25-30.110, Florida Administrative Code. Our records also indicate that River Ranch has not paid regulatory assessment fees for 1998 and 1999, pursuant to Rule 25-30.120, Florida Administrative Code.

Pursuant to Rule 25-30.110(3), Florida Administrative Code, annual reports are due on March 31 of each year. Our records indicate that, although not timely filed, River Ranch Anerican Resorts, Inc. requested and received an extension of time in which to file the 1998 annual reports. The amounts shown below include a late filing fee for the period from March 31, 1999, through April 26, 1999*. The utility did not request an extension of time to file the 1999 annual report. Because River Ranch has failed to file these annual reports, the utility is accruing penalties, as provided by Rule 25-30.110(6) and (7), Florida Administrative Code.

Pursuant to Rule 25-30.110(7)(b), Florida administrative Code, "the penalty for delinquent reports shall accrue based on the utility's classification . . ." The applicable penalty for River Ranch, as a Class C utility, is set forth below.

Year	Time <u>Elapsed</u>	Penalty Fees (\$3.00 per Day)
1998 (3-31-99 - 4-26-99)	26 days	\$ 78.00*
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1999 (3-31-99 - 11-30-00)	244 days	\$ 732.00
T	OTAL	<u>\$2,367.00</u>

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Mr. Brian Sparks November 16, 2000 Page 2

The above-referenced penalty has been calculated as of November 30, 2000. The penalty is subject to change and increase over time, and any delay in payment past November 30, 2000, may subject you to additional penalties and interest. Please submit payment of \$2,367.00 by check made payable to the Florida Public Service Commission. Payment of the penalty 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: Ms. Evelyn Sewell.

Your 1998 and 1999 annual reports are likewise due on or before November 30, 2000, and should be mailed with a copy of this letter to the Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, Attention: Tim Devlin, Director.

With regard to regulatory assessment fees, pursuant to Rule 25-30.120(2), Florida Administrative Code, regulatory assessment fees must be paid by March 31 of each year. The Commission may impose administrative penalties plus interest, as provided for under Rule 25-30.120(7), Florida Administrative Code. After reviewing the available information, we have determined that River Ranch owes the following:

			Regulatory Assessment			
<u>Year</u>		<u>Revenues</u>	Fees	Penalty	Interest	<u>Total</u>
1997	Water Wastewater	\$41,913.70 \$30,351.30	\$1,886.12 \$1,365.81	\$471.53 \$341.45	\$622.42 \$450.72	\$ 2,980.07 <u>\$ 2,257.98</u> \$ 5,138.05
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					TOTAL	<u>\$14,488.48</u>

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Mr. Brian Sparks November 16, 2000 Page 3

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Do not hesitate to contact me at (850) 413-6222 if you have any questions regarding the matters discussed herein.

Sincerely,

Alice L. Crosby Paralegal

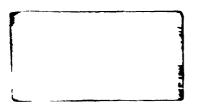
ALC/dm

 cc: Division of Records and Reporting Division of Administration (Sewell)
 Division of Regulatory Oversight (Messer, Daniel, Redemann)
 Division of Economic Regulation (McCaskill)
 Division of Legal Services (Gervasi)

I MEGILL ALC

	 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	Received by (Please Print Clearly) B. Date of Delivery C. Signature Agent Addressee D is delivery bridgess different from item 12 Yes
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	New River Rosch, LC dlbla River	
	99 Long Hammock Drive River Ranch, FL 33867	
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Commissioners: J. TERRY DEASON, CHAIRMAN E. LEON JACOBS, JR. LILA A. JABER BRAULIO L. BAEZ



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

VIA CERTIFIED MA

Public Service Commission

October 27, 2000

Mr. Harold E. Megill, Registered Agent New River Ranch, L.C. d/b/a River Ranch 99 Long Hammock Drive River Ranch, Florida 33867

Re: Delinquent Annual Reports and Regulatory Assessment Fees

Dear Mr. Megill:

According to our records, New River Ranch, L.C. d/b/a River Ranch has not filed its 1998 and 1999 annual reports, pursuant to Rule 25-30.110, Florida Administrative Code. Our records also indicate that River Ranch has not paid regulatory assessment fees for 1998 and 1999, pursuant to Rule 25-30.120, Florida Administrative Code.

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1999 (3-31-99 - 11-30-00)	244 days	\$ 732.00 . Con	rect
Т	OTAL	\$ 732.00 <u>\$2,367.00</u> - 78.4	nonaty

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PSC Website: http://www.floridapsc.com

Internet E-mail: contact@psc.state.fl.us

Mr. Harold E. Megill, Registered Agent October 27, 2000 Page 2

N

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1997	Water Wastewater	\$41,913.70 \$30,351.30	\$1,886.12 \$1,365.81	\$471.53 \$341.45	\$622.42 \$450.72	\$ 2,980.07 <u>\$ 2,257.98</u> \$ 5,138.05
1998	Water Wastewater	\$42,793.89 \$30,988.68	\$1,925.73 \$1,394.49	\$481.43 \$348.62	\$404.40 \$292.84	\$ 2,811.56 <u>\$ 2,035.95</u> \$ 4,847.51
199 9	Water Wastewater	\$43,311.70 \$31,363.64	\$1,949.03 \$1,411.36	\$487.26 \$352.84	\$175.41 \$127.02	<pre>\$ 2,611.70 \$ 1,891.22 \$ 4,502.92</pre>
			•		TOTAL	<u>\$14,488.48</u>

Pursuant to Rule 25-30.120(7)(a)(2), Florida Administrative Code, River Ranch has an ongoing responsibility to pay interest of one percent every thirty days on the unpaid balance of the regulatory assessment fees. The amounts shown above have been calculated as of November 30, 2000. The amounts are subject to change and increase over time, and any delay in payment past

Mr. Harold E. Megill, Registered Agent October 27, 2000 Page 3

November 30, 2000, may subject you to additional penalties and interest. Therefore, please submit payment of \$14,488.48 by check made payable to the Florida Public Service Commission.

Your payment of the amounts set forth above are due on or before November 30, 2000, 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: Ms. Evelyn Sewell.

In addition, if payment has not been received by November 30, 2000, the Commission may initiate show cause proceedings. Show cause proceedings may also be initiated if the 1998 and 1999 annual reports are not timely filed in a form and manner which comports with Rule 25-30.110, Florida Administrative Code. If show cause proceedings are initiated, and the utility is 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.

Do not hesitate to contact me at (850) 413-6222 if you have any questions regarding the matters discussed herein.

Sincerely, Alice L. Crosby Paralegal

ALC/dm

cc: Division of Records and Reporting Division of Administration (Sewell) Division of Regulatory Oversight (Messer, Daniel, Redemann) Division of Economic Regulation (McCaskill) Division of Legal Services (Gervasi)

I MEGILL ALC

State of Florid



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE:	October 20, 2000	
TO:	DIVISION OF LEGAL SERVICES (CROSBY)	
FROM:	DIVISION OF ECONOMIC REGULATION (MCCASKILL)	- Au
RE:	NEW RIVER RANCH UTILITY ANNUAL REPORT	

Listed below is the information requested for New River Ranch Utility. According to our records River Ranch Utility was sent <u>notices</u> regarding the delinquent filing of its 1998 Annual Report on the following dates: April 21, 1999; August 27, 1999 and October 12, 1999. The utility was sent notices regarding the delinquent filing of it's 1999 Annual report on the following dates: June 16, 2000 and August 23, 2000. To date the utility has not filed its annual reports.

Staff calculates that the utility owes penalties for failure to file it's 1998 annual report totaling \$1,635.00 for the period March 31, 1999 through April 26, 1999 and June 30, 1999 through November 30, 2000. Penalties calculated through December 31, 2000 totals \$1,728.00.

For failure to file the 1999 Annual report, the utility owes penalties totaling \$732.00 for the period March 31, 2000 through November 30, 2000 or \$825.00 for the period March 31, 2000 through December 31, 2000. Please see calculation that follows:

River Ranch Utility: 1998 Annual Report Penalties Due:

March 31, 1999 - April 26, 1999 (26 days $\times $3.00 = 78.00) June 30, 1999 - November 30, 2000 (519 days $\times $3.00 = $1,557.00$) (\$78.00 + \$1,557.00 = \$1,635) June 30, 1999 - December 31, 2000 (550 days $\times $3.00 = $1,650.00$) (\$78.00 + \$ 1,650.00 = \$1,728.00)

The utility requested an extension until June 30, 1999 to file it's 1998 Annual report. However, the extension was not timely filed. The request for extension was filed on April 26, 1999; twenty six (26) days after the annual report was due. Therefore, the utility was assigned a late filing fee of \$78.00 for that period.

River Ranch Utility: 1999 Annual report Penalties Due:

March 31, 2000 - November 30, 2000 (244 days x \$3.00 = \$732.00) March 31, 2000 - December 31, 2000 (275 days x \$3.00 = \$825.00)

River Ranch Utility 1998 and 1999 RAFs

The utility did not pay RAFs for 1998 or 1999. The utility was not sent a RAF form for 1998 until July 20, 2000. Fiscal says Water and Wastewater did not notify them that the utility should have received a RAF form. Since the utility was not granted a certificate until February 9, 1999, they were not on MCD, so Fiscal did not know that they should be sent a RAF form.

The 1999 RAF form was sent to the utility on February 7, 2000. A delinquent notice was sent on May 31, 2000. Subsequent RAF forms for 1999 were sent to the utility on June 15, 2000 and July 20, 2000, respectively.

The utility paid RAFs for 1997. The utility paid \$1,693.45 for the water system based on \$37,632 of water revenues. The utility also paid \$1,693.45 for the wastewater system; however, it reported only \$15,811 wastewater revenues. Based on \$15,811 of wastewater revenues, the utility should have paid only \$711.50 in RAFs. Therefore, it appears that the utility overpaid the wastewater RAFs by \$981.95

However, please note that the revenues reported in the 1997 annual report did not agree with the revenues reported in the RAF report. The utility report revenue of \$91,935.00 for water and \$91,935.00 for the wastewater system in it's 1997 annual report. We do not know which revenue figures are correct; therefore, we do not recommend a refund. Plus, the utility has not paid 1998 or 1999 RAFs

I have attached all copies of materials that we have available. This includes follow up letters sent for 1998 and 1999, all of the information available for 1997, and a copy of the dates Tiffany received from Administration concerning the RAF information. Should you have any questions regarding the Annual report information contact, Karen Peacock at 413-6832 and should you have any questions concerning the RAF information, please contact Tiffany Davis at 413-6930.

cc: Division of Economic Review (Devlin, McCaskill, Davis, Peacock)

Commissioners: J. TERRY DEASON, CHAIRMAN E. LEON JACOBS, JR. LILA A. JABER



DIVISION OF ECONOMIC REGULATION TIM DEVLIN, DIRECTOR (850) 413-6900

Public Service Commission

August 23, 2000

CERTIFIED MAIL: P 263 571 906

Mr. Bob Margolis, General Manager New River Ranch, L.C. d/b/a River Ranch P.O. Box 30030 River Ranch, Fl 33867-0030

Re: 2ND REQUEST for Delinquent 1999 Annual Report for New River Ranch, L.C. d/b/a River Ranch

Dear Mr. Margolis:

According to our records, New River Ranch, L.C. d/b/a River Ranch failed to timely file its 1999 Annual Report by March 31, 2000 or request an extension as required by Rule 25-30.110(3), Florida Administrative Code (F.A.C.). Rule 25-30.110(6) and (7), F.A.C., sets penalties for noncompliance with the annual report requirement. The applicable penalty for a Class C utility is \$3.00 per day and is based on the number of calendar days elapsed from the due date until the date of filing. Therefore, it is imperative that the utility promptly file the 1999 annual report as well as a check made payable to the Florida Public Service Commission for the amount of the penalty. The payment of the penalty should be mailed to: Bureau of Fiscal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, ATTN: Evelyn Sewell.

Continued failure to comply with these requirements may result in show cause proceedings and possibly additional fines. If you have any questions concerning this matter please contact Karen Peacock at (850) 413-6832 as soon as possible.

Sincere Serka

Tim Devlin, CF Director

TD/CM/kfp

cc: Division of Economic Regulation (McCaskill, Peacock) Division of Administration (Sewell, Knight) Division of Legal Services (Gervasi) Division of Regulatory Oversight (Daniel)

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PSC Website: http://www.floridapsc.com

Internet E-mail: contact@psc.state.fLus

Commissioners: JOE GARCIA, CHAIRMAN J. TERRY DEASON SUSAN F. CLARK E. LEON JACOBS, JR. LILA A. JABER



DIVISION OF ECONOMIC REGULATION TIM DEVLIN, DIRECTOR (850) 413-6400

Public Service Commission

June 16, 2000

Mr. Bob Margolis, General Manager P.O. Box 30030 River Ranch, Fl 33867-0030 CERTIFIED MAIL: P 263 571 835

Re: Delinquent 1999 Annual Report for New River Ranch, L.C. d/ba/ River Ranch

Dear Mr. Margolis:

According to our records, New River Ranch, L.C. d/b/a River Ranch failed to timely file its 1999 Annual Report by March 31, 2000 or request an extension as required by Rule 25-30.110(3), Florida Administrative Code (FAC). Rule 25-30.110(6) and (7), FAC, sets penalties for noncompliance with the annual report requirement. The applicable penalty for a Class C utility is \$3.00 per day and is based on the number of calendar days elapsed from the due date until the date of filing. Therefore, it is imperative that the utility promptly file the 1999 annual report as well as a check made payable to the Florida Public Service Commission for the amount of the penalty. The payment of the penalty should be mailed to: **Bureau of Fiscal Services**, **Florida Public Service Commission**, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, ATTN: Evelyn Sewell.

Continued failure to comply with these requirements may result in show cause proceedings and possibly additional fines. If you have any questions concerning this matter please contact Karen Peacock at (850) 413-6832 as soon as possible.

Sincerel 'n Devlin. C

Director

TD/CM/kfp

cc: Division of Economic Regulation (Mailhot, McCaskill, Peacock) Division of Administrations (Sewell, Knight) Division of Legal Services (Gervasi) Division of Regulatory Oversight (Daniel)

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Commissioners: JOE GARCIA, CHAIRMAN J. TERRY DEASON SUSAN F. CLARK JULIA L. JOHNSON E. LEON JACOBS, JR.



DIVISION OF WATER & WASTEWATER DANIEL M. HOPPE, DIRECTOR (850) 413-6900

Public Service Commission

October 12, 1999

Max P. Cawal River Ranch Guest Ranch and RV Resort 3200 River Ranch Road River Ranch, Florida 33867

Re: 1998 Annual Report

Dear Mr. Cawal:

According to our records, River Ranch failed to timely file its 1998 Annual Report by its extended due date of June 30, 1999. On August 27, 1999, a follow-up letter was sent which asked the utility to file its annual report and pay a penalty of \$3.00 per day for each day it was filed late, pursuant to Rule 25-30.110(6) and (7). This letter is our final notice to River Ranch regarding this matter.

Our records indicate that the utility has failed to respond to our follow-up letter. We have not recieved the utility's annual report, nor have we received the utility's penalty payment as of this date. If your annual report is not filed before December 12, 1999, this matter will be referred to the Division of Legal Services which may result in an initiation of show cause proceedings and possibly additional fines. The payment of the penalty should be mailed to: Bureau of Fiscal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, ATTN: Evelyn Sewell. If you have any questions concerning this matter, please contact Kathy Kaproth at (850) 413-6922.

Sincerely,

William & W. Thele,

William B. McNulty Regulatory Analyst Supervisor

Division of Water and Wastewater (Hoppe, Lowe, Snipes) cc: Bureau of Special Assistance (Daniel, Kaproth) Division of Legal Services (Gervasi) Division of Administration (Sewell, Knight)

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PSC Website: www.scri.net/psc

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Commissioners: JOE GARCIA, CHAIRMAN J. TERRY DEASON SUSAN F. CLARK JULIA L. JOHNSON E. LEON JACOBS, JR.



DIVISION OF WATER & WASTEWATER DANIEL M. HOPPE, DIRECTOR (850) 413-6900

Public Service Commission

August 27, 1999

Max P. Cawal River Ranch Guest Ranch and RV Resort 3200 River Ranch Road River Ranch, Florida 33867

Re: 1998 Annual Report

Dear Mr. Cawai:

According to our records, River Ranch failed to timely file its 1998 Annual Report by its extended due date of June 30, 1999. Rule 25-30.110(6) and (7), Florida Administrative Code, sets penalties for noncompliance with the annual report requirement. The applicable penalty for a Class C is \$3.00 per day and is based on the number of calendar days elapsed from the due date until the date of filing. We have also noticed that the utility did not respond to our letter on April 29, 1999, which required the utility to pay a penalty of \$78.00 due to the delayed request for the extention. Therefore, it is imperative that the utility promptly file the 1998 annual report as well as a check made payable to the Florida Public Service Commission for the amount of the penalty. The payment of the penalty should be mailed to: Bureau of Fiscal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, ATTN: Evelyn Sewell

Failure to comply with these requirements may result in a show cause proceedings and possibly additional fines. If you have any questions concerning this matter, please contact Kathy Kaproth at (850) 413-6922.

Sincerely,

William F. The Tuk

William B. McNulty Regulatory Analyst Supervisor

cc: Division of Water and Wastewater (Hoppe, Lowe, Snipes)
 Bureau of Special Assistance (Daniel, Kaproth)
 Division of Legal Services (Gervasi)
 Division of Administration (Sewell, Knight)

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Internet E-mail: contact@psc.state.fl.us

Commissioners: JOE GARCIA, CHAIRMAN J. TERRY DEASON SUSAN F. CLARK JULIA L. JOHNSON E. LEON JACOBS, JR.



DIVISION OF WATER & WASTEWATER CHARLES H. HILL DIRECTOR (850) 413-6900

Public Service Commission

April 21, 1999

Mr. Bob Margolis, General Manager P.O. Box 30030 River Ranch, FL 33867-0030

Re: 1998 Annual Report

Dear Mr. Margolis:

According to our records, River Ranch (New River Ranch, L.C. d/b/a) failed to timely file its 1998 Annual Report by March 31, 1999 or request an extension as required by Rule 25-30.110(3), Florida Administrative Code (FAC). Rule 25-30.110(6) and (7), FAC, sets penalties for noncompliance with the annual report requirement. The applicable penalty for a Class C utility is \$3.00 per day and is based on the number of calendar days elapsed from the due date until the date of filing. Therefore, it is imperative that the utility promptly file the 1998 annual report as well as a check made payable to the Florida Public Service Commission for the amount of the penalty. The payment of the penalty should be mailed to: **Bureau of Fiscal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, ATTN: Evelyn Sewell.**

Continued failure to comply with these requirements may result in show cause proceedings and possibly additional fines. If you have any questions concerning this matter, please contact JoAnn Chase at (850)413-7003 as soon as possible.

Sincerely,

a Affil by Charles H. Hill.

Director

CHH:JC:tys(margolis.dlq)

cc: Division of Water and Wastewater (Chase, Snipes, Stephens) Division of Legal Services (Gervasi) Division of Administration (Sewell, Knight)

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PSC Website: www.scri.net/psc

Internet E-mail: contact@psc.state.fl.us

Commissioners: JULIA L. JOHNSON, CHAIRMAN J. TERRY DEASON SUSAN F. CLARK JOE GARCIA E. LEON JACOBS, JR.



DIVISION OF WATER & WASTEWATER CHARLES H. HILL DIRECTOR (850) 413-6900

Public Service Commission

May 12, 1998

Mr. Bob Margolis, General Manager River Ranch 3200 River Ranch Road River Ranch, Florida 33867

> CERTIFIED MAIL RETURN P 174 240 394

Dear Mr. Margolis:

We have not received the 1997 Annual Report for River Ranchy In accordance with Rule 25-30.110, Florida Administrative Code, the utility is in violation and is accruing penalties.

If the 1997 Annual Report is not filed by June 30, 1998, this matter will be referred to the Division of Legal Services for initiation of show cause proceedings and possible assessment of fines in excess of the daily rate. If you have any questions regarding this matter please contact JoAnn Chase at (850)413-7003.

Sincerely.

+our la

Charles H. Hill. Director

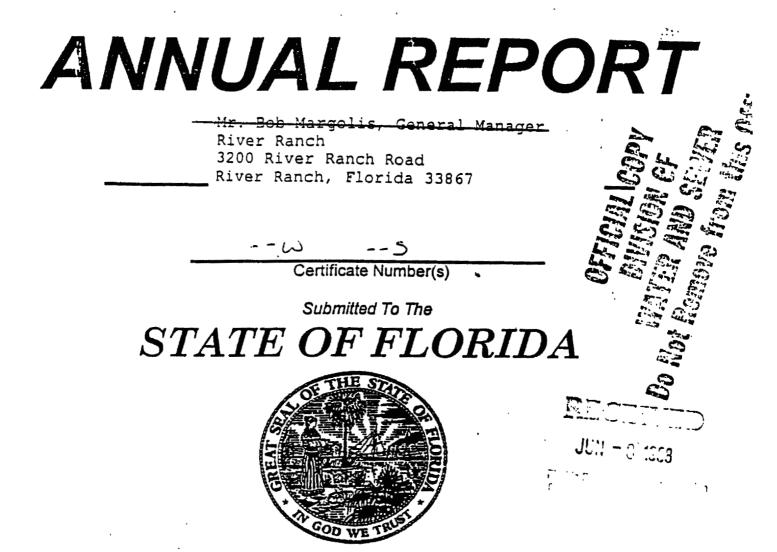
CHH/Enfltr.jms

cc: Division of Legal Services (Summerlin) Division of Water and Wastewater (Chase) Annual Report File



WATER AND/OR WASTEWATER UTILITIES

(Gross Revenue of Less Than \$150,000 Each)



PUBLIC SERVICE COMMISSION

FOR THE

YEAR ENDED DECEMBER 31, 1997

Form PSC/WAW 6 (Rev. 05/96)

321 Northlake Boulevard, Suite 101 North Palm Beach, FL 33408-5410

Telephone (561) 848-0050 Fax (561) 848-0051

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To the Partners New River Ranch, L.C. P O Box 30020 River Ranch, Florida

I have compiled the accompanying balance sheet of the River Ranch Water and Sewer Utility of New River Ranch, L.C. as of December 31, 1997, and the related statements of income, and the various schedules for the year then ended included in the accompanying prescribed forms contained in the Water and/or Wastewater Utilities Annual Report for the State of Florida Public Service Commission in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

My compilation was limited to the presentation of information that is the representation of management in the forms prescribed by the State of Florida Public Service Commission. I have not audited or reviewed the financial statements and schedules referred to above and, accordingly, do not express and opinion or any other form of assurance on them.

These financial statements (including related disclosures and schedules) are presented in accordance with the requirements of the State of Florida Public Service Commission, which differ form generally accepted accounting principles. Accordingly, these financial statements are not designed for those who are not informed about such differences.

Som & Thorsen

Certified Public Accountant May 27, 1998

RECEIVED Tom S. Thorse Certified Public Accountant JUN 8 9 08 AH '98 321 Northlake Boulevard, Suite 101 PUMINISTRATICH North Palm Beach, FL 33408-5410 MAIL ROOM May 27, 1998 Telephone (561) 848-0050 Eax (561) 848-0051 JUN - 0 1858 Mr. Charles H. Hill, Director Division of Water and Wastewater Florida Public Service Commission · • 7 2540 Shumard Oak Boulevard

Dear Mr. Hill:

Tallahassee, FL 32399-0873

Harold Megill, General Manager of New River Ranch, L.C. asked me to prepare the enclosed Water and /or Wastewater Utilities Annual Report. The report was prepare from information available to Mr. Megill. I did not have the information necessary to complete the non-financial portions. New River Ranch, L.C. operated the River Ranch Resort, which included the utility from January 1997 to November 30, 1997 only as a caretaker, as explained below.

During 1995-1996, the previous owners of River Ranch allowed maintenance of the grounds, buildings, etc. to deteriorate. Ten members (owners of some of the RV lots and inns and cottages) of the community formed New River Ranch, L.C., and obtained the property, including the utility, through foreclosure in January 1997. Their purpose was to operate and improve the whole resort only until such time a buyer could be found who would develop the resort to its full potential. Breaking even financially was the goal. One of the owners became the general manager. Many of the owners volunteered their time and money to improve the appearance and operation of the resort and the utility. The previous owner were not available to guide the new owners. When management set up the accounting system, they were not aware of the Utility Uniform System of Accounts and combined the utility chart of accounts with the chart of accounts used by New River Ranch, L.C. resort as a whole. Although the chart of accounts identified the utility, it did not separate water transactions from the sewer transactions.

An allocation method was used to determine the cost of the Plant in Service, based on the original foreclosure cost of the total resort. Subsequent additions were separately identified. I am not aware of anyone reading the flow meters during year. The utility is operated to provide service to the resort (itself) and also provides service to two separate organizations within the resort (the RV and the Inn and Cottages Associations), and 39 homeowners. Although it is my understanding that meters are install, they were not read, and charges were based on a flat rate.

In September 1997, the owners noted that a large amount of funds in excess of revenue were being expended for maintenance and operations in addition to a large amount of capital expenditures for repairs. It became apparent that operating and maintaining the resort was a terrible burden on a the owners, management, and staff who were not knowledgeable in resort or utility operations. Management changed, and Mr. Harold Megill became general manager. A contract for sale was signed which required another corporation to operate the resort effective December 1, 1997. As a

result the accompanying report does not include the revenue transactions from the two separate organizations and no expense transactions after November 30, 1997. New River Ranch, L.C. was required was make certain capital improvements to the utility and they are included in the report.

In preparing the enclosed report a reasonable effort was made to identify specific revenue and expenses directly applicable to the utility. Fortunately, the number of transactions is limited. However, volunteers-owners expended their time working on utility matters for which no accounting transaction was recorded. In addition, employees were not asked to separately account for the time spent on utility matters. Therefore, in preparing the report, none of the volunteer costs are included, and allocations were made for indirect costs, such as some maintenance, insurance, administrative costs, etc. In addition no income tax in included because New River Ranch, L.C. is a limited liability company treated as a partnership. Therefore, any income or loss is that of the individual partners, not the company. I tried to obtain a previous report, but none is available. My understanding is that this is the first report in this format. I was not able to obtain any useful information from Polk County government.

I trust the above explains why the report is not as complete as it should be. The owners really have tried to do the best they can complying with all the laws and regulations. However, the contract for sale was of great importance and took time. For the above reasons the owners request abatement of any penalties for this report being late.

If you have any questions, please call.

Sincerely,

Jow & Ilorsen

Tom S. Thorsen

Enclosures

-

cc: Harold Megill, General Manager

C:\docwp\mno\newi31\peccover letter.wpd

----`Tiffany Davis

From: Sent: To: Cc: Subject: Connie McCaskill Tuesday, October 17, 2000 2:12 PM Alice Crosby Clssy Rehwinkel; Karen Peacock; Tiffany Davis RE: New River Ranch

Karen and Tiffany, please respond to Alice. I know this case has been discussed many times before, but I don't remember what responses were given. Please copy me on your response, and I'll be sure to put it where I can find it for future reference.

----Original Message----From: Alice Crosby Sent: Tuesday, October 17, 2000 2:09 PM To: Connie McCaskill Cc: Cissy Rehwinkel Subject: New River Ranch

I am in need of information please. Can you tell me where New River Ranch stands with respect to annual reports and rafs for 1998 and 1999. Did file/pay, are there outstandi: reports/rafs and were letters (at least two) sent trying to collect? We are working on a rec to the Commission to acknowledge a receiver for the utility and wanted to address the outstanding reports/rafs. However, if the letters have not yet been written, we can't refer it to the Comptroller. Sorry about such short notice, but we need the info as soon as possible. Thanks.

-raf form 1/20/2000 Diand benome resulated (1) 2/11/2000-ration by PSC unit 2/19/199 (3)(2000-ration form (3)(2)(15/2010) ration (3)(2)(15/2010) ration werent on MCD on

RAF ACCOUNT

Printed on 10/17/2000 at 15:04:20 by TLD

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River Ranch (WS797)

Period Covered: 01/01/1997-12/31/ Service: WAT Pur Pate: 03/31/1998 O. Jark Date: 03/30/1998 atisfied: No	1997 Actual Return: Received RAF Form: Payment Plan: Extension: RAF Rate:	Yes Into No Net No Ref	rating Revenue: erstate Revenue: RAF Due: und Issued: e Paid:	\$37,632.00 \$0.00 \$1,693.44 \$0.00 \$0.00	
DESCRIPTION	AMOUNT DUE	AMOUNT	PAID	AMOUNT OWED	
AF	\$1,693.44	\$1,693.45		\$0.00	
enalty	\$0.00	\$0.00		\$0.00	
nterest	\$0.00	\$0.00 \$0.00		\$0.00	
xtension Fee	\$0.00	\$0.00		\$0.00	
dditional Payment	\$0.00	0.00 \$0.00		\$0.00	
otal	\$1,693.44	\$1,693.45		\$0.00	

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RAF ACCOUNT

Printed on 10/17/2000 at 15:04:12 by TLD

River Ranch (WS797)

ervice:	01/01/1997-12/31/1997 WAS 03/81/1998 03/30/1998 No	Actual Return: Received RAF Form: Payment Plan: Extension: RAF Rate:	Yes Operating R Yes Interstate No Net RAF Due No Refund Issu 0.045 Fine Paid:	Revenue: \$0.00 : \$711.50
DESCRIPTION		AMOUNT DUE AMOUNT PAID		AMOUNT OWED
'AF		\$711.50	\$1,693.45	\$0.00
enalty		\$0.00	\$0.00	\$0.00
interest		\$0.00	\$0.00	\$0.00
xtension Fee		\$0.00	\$0.00	\$0.00
dditional Payment		\$0.00	\$0.00	\$0.00
otal		\$711.50	\$1,693.45	\$0.00

1,1693,45 711.50 981.95

UTILITY NAME: New Rig Ranch, L.C.

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YEAR OF REPORT DECEMBER 31, 1997

INCOME STATEMENT

	Ref.	1			T - 4 - 1
Account Name	Page	Water	Wastewater	Other	Total Company
Gross Revenue: Residential Commercial Industrial Multiple Family Guaranteed Revenues Other (Specify)		\$91,935	\$91,935 	\$	\$ <u>183,870</u>
Total Gross Revenue		\$ 91,935	\$ <u>91,935</u>	\$	\$ 183,870
Operation Expense (Must tie to pages W-3 and S-3)	W-3 S-3	\$ 60,505	\$ 57,406	\$	\$ <u>117,911</u>
Depreciation Expense	F-5	1,134	1,134		2,268
CIAC Amortization Expense_	F-8				
Taxes Other Than Income	F-7	4,458	4,461		8,919
Income Taxes	F-7				
Total Operating Expense		\$66,097	\$ 63,001	\$ \$	129,098
Net Operating Income (Loss)	1	\$ 25,838	\$ 28,934	\$ \$	54,772
Other Income: Nonutility Income		5	\$	5 \$	
Other Deductions: Miscellaneous Nonutility Expenses Interest Expense	\$	2,053	\$\$	\$	4,106
Net Income (Loss)	\$	23,785	\$ <u>26,88</u> 1 \$	\$	50,666

F-3

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