

**REQUEST TO ESTABLISH DOCKET**

(Please Type)

<b>Date:</b>	11/17/2006	<b>Docket No.:</b>	060754-WS
<b>1. Division Name/Staff Name:</b>	Economic Regulation (Kaproth) <i>KK JS</i>		
<b>2. OPR:</b>	ECR - Kaproth		
<b>3. OCR:</b>	GCL - Jaeger		
<b>4. Suggested Docket Title:</b>	Request for Waiver of 2005 Annual Report Penalty for Ferncrest Utilities, Inc.		
<b>5. Suggested Docket Mailing List (attach separate sheet if necessary)</b>			
A. Provide NAMES OR ACRONYMS ONLY if a regulated company.			
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)			
1. Parties and their representatives (if any):			
Ferncrest Utilities, Inc			
2. Interested persons and their representatives (if any):			
<b>6. Check one:</b>			
<input checked="" type="checkbox"/> Documentation is attached.			
<input type="checkbox"/> Documentation will be provided with recommendation.			

DOCUMENT NUMBER-DATE  
10531 NOV 17 8

# FERNCREST UTILITIES, INC.

3015 S.W. 54<sup>th</sup> Street  
Davie, Florida 33314

(954) 587-8833  
Fax (954) 587-0340

October 27, 2006

Mr. Tim Devlin, Director  
Division of Economic Regulation  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Request for Waiver of penalties for failure to timely file the 2005 Annual Report for Ferncrest Utilities, Inc.

This is to request a full or partial waiver of the penalties that will be assessed against Ferncrest Utilities, Inc. for failure to file a timely Annual Report for year ended December 31, 2005.

Pursuant to Rule 25-30.110(3), Florida Administrative Code (FAC), We had properly requested an automatic thirty day extension to file the Annual Report of Ferncrest Utilities, Inc for the calendar year ended December 31, 2005 as well as a 2<sup>nd</sup> Extension to file that was granted for good cause allowing the Report to be due on or before May 16, 2006.

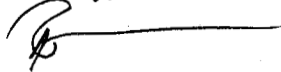
I became ill in February and was undergoing a series of diagnostic and therapy and was primarily out of the office. This accounted for the first and second extension request. Unfortunately, I had to be admitted to the Palms West Hospital and underwent emergency surgery for a colon resection. I was not able to come back to the offices until October 16, 2006.

Over the past two weeks, I reviewed and brought the books forward and prepared the accompanying Annual Report.

We have always filed our Annual Report on a timely basis over the past 10 years that I have been associated with Ferncrest Utilities. We have filed the Assessment reports for the year in question and have paid all applicable assessment fees.

This has been an unusual situation that was out of my control. As such, if there is any way that these fees can be mitigated, it would be appreciated.

Sincerely,

  
Andrew Trumbach, DBA

ECONOMIC REGULATION  
90 8 AM 16 100 90  
PUBLIC SERVICE

06 OCT 31 AM 7:51  
COMMISSION CLERK  
ADMINISTRATIVE SERVICE