

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

010000-PU
971185-WS

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.

<u>Year</u>	<u>Time Elapsed</u>	<u>Penalty Fees (\$3.00 per Day)</u>
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
TOTAL		<u>\$3,000.00</u>

DOCUMENT NUMBER-DATE
01268 JAN 29 01

FPSC-RECORDS/REPORTING

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

Mr. Brian Sparks
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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:

<u>Year</u>		<u>Revenues</u>	<u>Regulatory Assessment Fees</u>	<u>Penalty</u>	<u>Interest</u>	<u>Total</u>
1997	Water	\$41,913.70	\$1,886.12	\$471.53	\$679.00	\$ 3,036.65
	Wastewater	\$30,351.30	\$1,365.81	\$341.45	\$491.68	<u>\$ 2,198.94</u>
						\$ 5,235.59
1998	Water	\$42,793.89	\$1,925.73	\$481.43	\$462.18	\$ 2,869.34
	Wastewater	\$30,988.68	\$1,394.49	\$348.62	\$334.67	<u>\$ 2,077.78</u>
						\$ 4,947.12
1999	Water	\$43,311.70	\$1,949.03	\$487.26	\$233.88	\$ 2,670.17
	Wastewater	\$31,363.64	\$1,411.36	\$352.84	\$169.36	<u>\$ 1,933.57</u>
						\$ 4,603.74
TOTAL						<u>\$14,786.45</u>

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

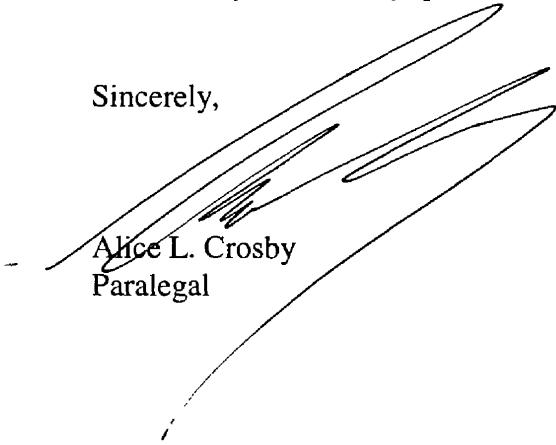
Mr. Brian Sparks
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January 29, 2001

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,



Alice 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)

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STATE OF FLORIDA

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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 American 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.

<u>Year</u>	<u>Time Elapsed</u>	<u>Penalty Fees (\$3.00 per Day)</u>
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
TOTAL		<u>\$2,367.00</u>

Mr. Brian Sparks
 November 16, 2000
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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:

<u>Year</u>		<u>Revenues</u>	Regulatory Assessment <u>Fees</u>	<u>Penalty</u>	<u>Interest</u>	<u>Total</u>
1997	Water	\$41,913.70	\$1,886.12	\$471.53	\$622.42	\$ 2,980.07
	Wastewater	\$30,351.30	\$1,365.81	\$341.45	\$450.72	<u>\$ 2,257.98</u>
						\$ 5,138.05
1998	Water	\$42,793.89	\$1,925.73	\$481.43	\$404.40	\$ 2,811.56
	Wastewater	\$30,988.68	\$1,394.49	\$348.62	\$292.84	<u>\$ 2,035.95</u>
						\$ 4,847.51
1999	Water	\$43,311.70	\$1,949.03	\$487.26	\$175.41	\$ 2,611.70
	Wastewater	\$31,363.64	\$1,411.36	\$352.84	\$127.02	<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
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Division of Regulatory Oversight (Messer, Daniel, Redemann)
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MEGILL ALC