

STATE OF FLORIDA

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

# Public Service Commission

September 14, 2001

Mr. Billy G. Black, Owner  
Forest Hills Water System  
P.O. Box 3187  
Homosassa Springs, Florida 34447-3184

VIA CERTIFIED MAIL

Re: Delinquent Annual Report and Regulatory Assessment Fees; Docket No. 010813-WU -  
Disposition of penalties of delinquent Annual Reports and delinquent regulatory  
assessment fees for Forest Hills Water System, in Citrus County, a company no longer  
subject to Florida Public Service Commission jurisdiction.

Dear Mr. Black:

This letter is to confirm our telephone conversation on Monday, September 10, 2001. According to our records, Forest Hills Water System (Forest Hills or utility) has not paid regulatory assessment fees (RAFs), as required by Rule 25-30.120, Florida Administrative Code, for the years 1997, 1998, and January 1, 1999 through July 27, 1999. Our records also indicate that Forest Hills failed to timely file its 1998 annual report by March 31, 1999, as required by Rule 25-30.110, Florida Administrative Code.

As you indicated to me on the telephone, you will pay the outstanding amounts that Forest Hills owes, plus the penalties and interest. However, you would prefer to pay these amounts over a period of three months. You requested that I send you the amounts owed by Forest Hills, and the dates by which they must be paid.

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.

Pursuant to Rule 25-30.110(3), Florida Administrative Code, annual reports are due on March 31<sup>st</sup> of each year. Our records indicated that Forest Hills filed its 1998 annual report on May 20, 1999, which was 50 days past the due date. Because Forest Hills failed to file its 1998 annual report by March 31, 1999, the utility is accrued a late penalty, as provided by Rule 25-30.110(6) and (7), Florida Administrative Code. The applicable penalty for Forest Hills, as a Class C utility, is \$3.00 per day, for each day the report is submitted late. Since Forest Hills' 1998 annual report was filed 50 days late, the penalty due is \$150.00. This amount has been included with your first payment for delinquent RAFs, which is due by October 1, 2001.

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As you requested, the amounts owed have been calculated to be paid over three months, with the penalties and interests calculated through the payment date. Your first payment is due by October 1, 2001, and includes the additional \$150 owed for the late-filed 1998 annual report .

<u>Year</u>	<u>Regulatory Assessment Fees</u>	<u>Penalty</u>	<u>Interest</u>	<u>Total</u>	<u>Payment Due Date</u>
1997	\$469.80	\$117.45	\$202.01	\$789.26 + 150.00 (annual report) <b>\$939.26</b>	10/01/01
1998	\$461.70	\$115.43	\$155.89	<b>\$733.02</b>	11/01/01
1999	\$311.52	\$77.88	\$65.42	<b>\$454.82</b>	12/01/01

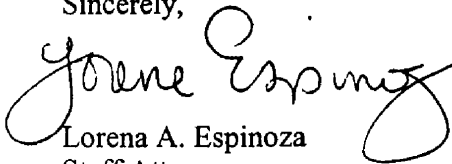
Pursuant to Rule 25-30.120(7)(a)(2), Florida Administrative Code, Forest Hills continues to be responsible for paying interest of one percent every thirty days on the unpaid balance of the regulatory assessment fees. The amounts shown above have been calculated as of October 1, 2001, November 1, 2001, and December 1, 2001.

The amounts are subject to change and increase over time, and any delay in payment past the due date will subject Forest Hills to additional penalties and interest. In addition, if payment in the above-listed amounts are not received by the stated due dates, 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.

Your payments of the amounts set forth above should be mailed with a copy of this letter to the Fiscal Services Section, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, Attention: Jackie Knight.

Please do not hesitate to contact me at (850)413-6185 should you have any questions regarding the matters discussed herein.

Sincerely,

  
Lorena A. Espinoza  
Staff Attorney

LAE/dm

cc: Division of the Commission Clerk and Administrative Services (Knight) ✓  
Division of Economic Regulation (Peacock, Kaproth, Mailhot)

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