

**REQUEST TO ESTABLISH DOCKET**  
(Please Type)

<b>Date</b>	1/27/04	<b>Docket No.</b>	040078-WS
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<b>1. Division Name/Staff Name:</b>	GCL/Rodan <i>JANZ</i>
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<b>2. OPR:</b>	GCL/Rodan
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<b>3. OCR:</b>	ECR/Kaproth
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<b>4. Suggested Docket Title:</b>	Disposition of delinquent regulatory assessment fees and penalties for General Development Utilities, Inc., a company no longer subject to Florida Public Service Commission jurisdiction
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**5. Suggested Docket Mailing List (attach separate sheet if necessary)**

- 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):**

<b>General Development Utilities, Inc.</b>	

**2. Interested persons and their representatives (if any):**


**6. Check one:**

- Documentation is attached.**
- Documentation will be provided with recommendation.**

LAH

STATE OF FLORIDA

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI  
RUDOLPH "RUDY" BRADLEY



OFFICE OF THE GENERAL COUNSEL  
HAROLD A. MCLEAN  
GENERAL COUNSEL  
(850) 413-6199

# Public Service Commission

July 31, 2002

Mr. Gragg K. Lawrence, Registered Agent  
General Development Utilities, Inc.  
200 S. Biscayne Blvd., Suite 4900  
Miami, Florida 33133

VIA CERTIFIED MAIL

7000 0600 0026 4145 3668

RE: 1996 Delinquent Regulatory Assessment Fees

Dear Mr. Lawrence:

I am writing to you in reference to outstanding regulatory assessment fees (RAFs), penalties, and interest owed by General Development Utilities, Inc. (GDU or utility). According to our records, GDU owes outstanding RAFs, plus penalties and interest for January 1, 1996 through February 28, 1996.

In establishing rates, the Commission includes in its determination of the revenue requirement the utility's obligation to pay RAFs. Pursuant to Rule 25-30.120(2), Florida Administrative Code, RAFs must be paid by March 31 of each year. Pursuant to Section 350.113(4), Florida Statutes, and Rule 25-30.120(7)(a), Florida Administrative Code, a statutory penalty plus interest shall be assessed against any utility that fails to timely pay its RAFs, in the following manner:

1. 5 percent of the fee if the failure is not for more than 30 days, with an additional 5 percent for each additional 30 days or fraction thereof during the time in which failure continues, not to exceed a total penalty of 25 percent.
2. The amount of interest to be charged is 1 percent for each 30 days or fraction thereof, not to exceed a total of 12 percent annum.

In addition, pursuant to Section 367.145(1)(b) and 367.161, Florida Statutes, and Rule 25-30.120(5)(b), Florida Administrative Code, the Commission may impose an additional penalty upon a utility for failure to pay RAFs in a timely manner.

After reviewing the available information, we have determined that GDU owes the following:

<u>YEAR</u>	<u>RAF AMOUNT</u>	<u>PENALTY</u>	<u>INTEREST</u>	<u>TOTAL</u>
1996-WATER	\$3,145.67	\$786.42	\$2,044.69	\$5,976.78
1996-WASTEWATER	\$2,432.15	\$608.04	\$1,580.90	\$4,621.09
			<b>TOTAL DUE</b>	<b>\$10,597.87</b>

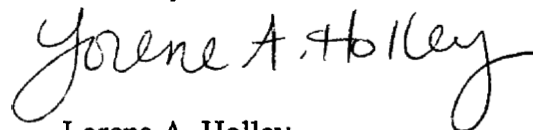
Pursuant to Rule 24-30.120(7), Florida Administrative Code, GDU has an ongoing responsibility to pay interest of one percent every thirty days on the unpaid balance of the RAFs. The amounts shown above have been calculated as of July 31, 2002. The amounts are subject to change and increase over time, and any delay in payment may subject GDU to additional penalties and interest. Therefore, please submit payment of \$10,597.87 by check made payable to the Florida Public Service Commission.

Your payment in the amount set forth is due immediately and should be mailed with a copy of this letter to the Fiscal Services Section, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850, Attention: Karen Belcher.

In addition, if payment is not received, the Commission may initiate show cause proceedings. If show cause proceedings are initiated, and GDU 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.

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

Sincerely,



Lorena A. Holley  
Senior Attorney

LAH/dm

- cc: Division of Commission Clerk and Administrative Services (Knight)
- Division of Economic Regulation (Kaproth, Mailhot)
- Mr. E.M. Giblen, Jr. - 7000 0000 0000 4145 3705
- Mr. John R. Wilcox, II - 7000 0000 0000 4145 3682
- Mr. Robert J. Wilcox - 7000 0000 0000 4145 3649
- Ms. Andrea Miller - 7000 0000 0000 4145 3075