

ORIGINAL

STATE OF FLORIDA

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2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

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COMMISSION  
CLERK

Public Service Commission

January 6, 2005

CERTIFIED MAIL

Mr. Herbert Hein  
East Marion Sanitary Systems, Inc.  
G-4225 Miller Road, #190  
Flint, Michigan 48507-1227

Re: Delinquent 2003 Annual Report and Associated Penalties

Dear Mr. Hein:

I am writing to inform you that the Commission received the utility's 2003 Annual Report on December 16, 2004; therefore, this letter serves to modify the Commission's letter to East Marion Sanitary Systems, Inc., dated January 5, 2005.

Pursuant to Rule 25-30.110(3), Florida Administrative Code, annual reports are due on March 31 of each year. East Marion Sanitary Systems, Inc. requested and was granted an extension, making the 2003 annual report due on May 31, 2004. Because the utility failed to file the annual report in a timely manner, the utility has accrued 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 annual reports shall accrue based on the utility's classification..." The applicable penalty for East Marion Sanitary Systems, Inc., as a Class C utility, is set forth below.

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC
- OTH \_\_\_\_\_

Year	Time Elapsed	Penalty Fees (\$3.00 per day)
2003	199 days	\$597.00
<b>TOTAL</b>		<b>\$597.00</b>

Please submit payment in the amount of \$597.00 by check made payable to the Florida Public Service Commission.

Your payment of the amount set forth above is due on or before February 3, 2005, 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.


If the utility's payment in the above amount is not received by February 3, 2005, Commission staff will be opening a docket to initiate show cause proceedings. If East Marion Sanitary Systems, Inc. is ultimately found to be in violation of Commission rules, the Commission is authorized to impose fines of up to \$5,000 for each day the violation continues.

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COMMISSION CLERK

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Your attention in this matter is greatly appreciated, and if you have any questions or if I can be of any further assistance please contact me at (850) 413-6189.

Sincerely,



Jennifer A. Rodan

Attorney

cc: Division of Economic Regulation (Slemkewicz, Brinkley)