

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

Date: 11/17/2006      Docket No.: 060753-SU

1. Division Name/Staff Name: Economic Regulation (Kaproth) *KK JS*

2. OPR: ECR - Kaproth

3. OCR: GCL - Gervasi

4. Suggested Docket Title: Request for Waiver of 2005 Annual Report Penalty for Highlands Utilities Corporation

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):

Highlands Utilities Corporation	Martin S. Friedman, Rose, Sundstrom & Bentley, Llp

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


6. Check one:

Documentation is attached.

Documentation will be provided with recommendation.

DOCUMENT NUMBER-DATE

10530 NOV 17 8

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September 29, 2006

Ms. Christine Romig  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
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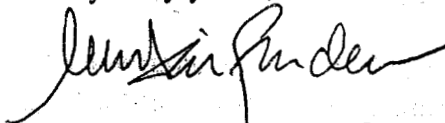
RE: Highlands Utilities Corporation  
2005 Annual Report Penalties  
Our File No. 28087.05

Dear Ms. Romig:

This law firm represents Highlands Utilities Corporation, and we have been asked on its behalf to request that the Commission waive the \$729.00 in penalties for late filing of its 2005 Annual Report. In my June 5, 2006, correspondence to Tim Devlin, a copy of which is enclosed, I outlined the mitigating factors for the Utility's delay in filing its 2005 Annual Report. Unfortunately, Mr. Williams' recuperation was slower than anticipated which resulted in the additional delay in filing the 2005 Annual Report. We believe that these mitigating factors adequately support a request for a waiver of the penalties.

If I can provide any additional information, please do not hesitate to give me a call.

Very truly yours,



MARTIN S. FRIEDMAN  
For the Firm

MSF/mp  
Enclosure

cc: Ms. Lorrie Lammie (w/enclosure)

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ECONOMIC REGULATION  
SERVICE