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STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

Public Service Commission

April 18, 2008

CERTIFIED MAIL: 7099 3400 0000 1421 0624

RECEIVED-FPSC  
APR 21 AM 9:02  
COMMISSION CLERK

080132 - WU

Mr. Donald E. McBrayer  
Donald E. McBrayer and Marty Stevens  
d/b/a Blue Heron Golf & Country Club  
1925 Southeast 9th Avenue  
Okeechobee, Florida 34974-5357

**Re: Payment of fine for late-filing 2006 Annual Report and payment of 2007 and 2008 Regulatory Assessment Fees**

Dear Mr. McBrayer:

As you are aware, pursuant to Rule 25-30.110, Florida Administrative Code (F.A.C.), a fine of \$489 is owed on behalf of Donald E. McBrayer and Marty Stevens d/b/a Blue Heron Golf & Country Club (Blue Heron) for filing Blue Heron's 2006 Annual Report 163 days late. An annual report will not be required for 2008 pursuant to Rule 25-30.110(3), F.A.C., but the 2007 annual report needs to be filed by April 30, 2008.

As you are also aware, Blue Heron's 2007 Regulatory Assessment Fees (RAFs) in the amount of 4.5% of total revenues were due on March 31, 2008, and have not yet been paid. Therefore, pursuant to Rule 25-30.120, F.A.C., additional penalties and interest may apply. For every thirty days Blue Heron's 2007 RAFs remain unpaid, an additional 5% penalty will be owed up to 25% of the unpaid RAF amount and an additional 1% interest charge will be assessed. Finally, Blue Heron owes final 2008 RAFs from January 1, 2008, to March 4, 2008, the date of transfer to Okeechobee Utility Authority (OUA). A final RAF form is attached for reporting Blue Heron's 2008 revenues. The RAF form should be completed and returned with payment of the 2008 RAFs.

Payment for the above matters should be sent on or before May 19, 2008, to the **Division of Administrative Services, Fiscal Services Section, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, ATTN: Valorie Moore**. Please be advised that staff will be filing a recommendation on June 19, 2008, with regard to the transfer of Blue Heron to OUA. Depending on the actions taken, staff will either be filing recommendation that the docket be closed or that the docket be left open and Blue Heron be required to show cause for failure to comply with statutory requirements.

DOCUMENT NUMBER-DATE

03114 APR 21 08

FPSC-COMMISSION CLERK

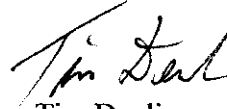
Mr. Donald E. McBrayer

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If you have questions concerning the amounts owed, please contact Kathy Kaproth at (850) 413-6922 or [kkaproth@psc.state.fl.us](mailto:kkaproth@psc.state.fl.us) as soon as possible. If you have any questions regarding Blue Heron's statutory requirements, please contact Caroline Klancke, Esq., in the Commission's Office of the General Counsel at (850) 413-6220 or [cklancke@psc.state.fl.us](mailto:cklancke@psc.state.fl.us).

Sincerely,



Tim Devlin  
Director

TD/KK:slc

Attachment

cc: Division of Administrative Services (Moore)  
Office of the General Counsel (Brubaker, Klancke)  
Division of Economic Regulation (Daniel, Brady, Bulecza-Banks, Slemkewicz, Kaproth)  
Office of Commission Clerk

# Small Water System Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

Actual Return  
 Estimated Return

**PERIOD COVERED:**  
 01/01/2008 TO 06/30/2008

WU878-08-W-1-R  
 Blue Heron Golf & Country Club  
 1925 S.E. 9th Avenue  
 Okeechobee, FL 34974-5357

Please Complete Below If Official Mailing Address Has Changed

**FOR PSC USE ONLY**

Check # \_\_\_\_\_  
 \$ \_\_\_\_\_ 0604001  
 \_\_\_\_\_ 003001  
 \$ \_\_\_\_\_ E  
 \$ \_\_\_\_\_ P 0604001  
 \_\_\_\_\_ 004010  
 \$ \_\_\_\_\_ I  
 Postmark Date \_\_\_\_\_  
 Initials of Preparer \_\_\_\_\_

(SYSTEM'S NAME)	(ADDRESS)	(CITY/STATE)	(ZIP)
Florida Public Service Commission Certificate			
<b>WATER OPERATING REVENUES</b>	# _____	# _____	# _____
1. Unmetered Water Revenues (460)	\$ _____	\$ _____	\$ _____
<b>MEASURED WATER REVENUES</b>			
2. Residential Revenues (461.1)	_____	_____	_____
3. Commercial Revenues (461.2)	_____	_____	_____
4. Industrial Revenues (461.3)	_____	_____	_____
5. Revenues from Public Authorities (461.4)	_____	_____	_____
6. Multiple Family Dwelling Revenues (461.5)	_____	_____	_____
7. <b>TOTAL METERED SALES</b>	\$ _____	\$ _____	\$ _____
<b>FIRE PROTECTION REVENUES</b>			
8. Public Fire Protection (462.1)	_____	_____	_____
9. Private Fire Protection (462.2)	_____	_____	_____
10. <b>TOTAL FIRE PROTECTION REVENUE</b>	\$ _____	\$ _____	\$ _____
11. Other Sales to Public Authorities (464)	_____	_____	_____
12. Sales to Irrigation Customers (465)	_____	_____	_____
13. SALES FOR RESALE (466)	_____	_____	_____
14. Interdepartmental Sales (467)	_____	_____	_____
15. <b>TOTAL WATER SALES (Lines 1+7+10+11+12+13+14)</b>	\$ _____	\$ _____	\$ _____
<b>OTHER WATER REVENUES</b>			
16. Guaranteed Revenues (Include Revenues from A.F.P.I. Charges) (469)	_____	_____	_____
17. Forfeited Discounts (470)	_____	_____	_____
18. Miscellaneous Service Revenues (471)	_____	_____	_____
19. Rents From Water Property (472)	_____	_____	_____
20. Interdepartmental Rents (473)	_____	_____	_____
21. Other Water Revenues (474) Describe:	_____	_____	_____
22. <b>TOTAL OTHER WATER REVENUES (Lines 16+17+18+19+20+21)</b>	\$ _____	\$ _____	\$ _____
23. <b>TOTAL WATER OPERATING REVENUES*(Lines 15+22)</b>	\$ _____	\$ _____	\$ _____
24. LESS: Expense for Purchased Water From FPSC-Regulated Utility	( _____ )	( _____ )	( _____ )
25. <b>NET WATER OPERATING REVENUES (Line 23 Less Line 24)</b>	_____	_____	_____
26. Regulatory Assessment Fee Due - (Multiply Line 25 by 0.045)	_____	_____	_____
27. LESS: Approved Prior-Period Credit	_____	( _____ )	_____
28. <b>NET REGULATORY ASSESSMENT FEE (Line 26 Less Line 27)</b>	_____	\$ _____	_____
29. Penalty for Late Payment	_____	_____	_____
30. Interest for Late Payment	_____	_____	_____
31. <b>TOTAL AMOUNT DUE</b>	_____	\$ _____	_____

\*These amounts must agree with Annual Report Schedule F-3  
 If service was purchased from a regulated utility, please insert its name: \_\_\_\_\_

AS PROVIDED IN SECTION 350.113, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$25

I, the undersigned owner/officer of the above-named vendor, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

\_\_\_\_\_  
 (Signature of System Official) (Title) (Date)  
 \_\_\_\_\_  
 (Please Print Name) Telephone Number ( ) Fax Number ( )  
 F.E.I. No. \_\_\_\_\_

# FLORIDA PUBLIC SERVICE COMMISSION

## Instructions For Filing Regulatory Assessment Fee Return (Small Water System)

- WHO MUST FILE:** Each small regulated utility under the jurisdiction of the Florida Public Service Commission (Commission) for any part of the 12-month period, January 1 through December 31, preceding the due date as reflected in the following paragraph. A small utility is defined as a utility with annual revenues of less than \$200,000 based on the most recent prior calendar year.
- WHEN TO FILE:** To avoid payment of penalties and interest, the Regulatory Assessment Fee Return form must be filed or postmarked before March 31 for the report period January 1 through December 31. However, if March 31 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.
- FEES:** Each Commission-regulated system shall pay the presently established percentage (Line 26) of its gross operating revenues derived from intrastate business. (Gross Operating Revenues are defined as the total revenues before expenses.) To assure an accurate recording of your fee payment, it is most important that you identify each certificate number in the appropriate space.
- FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 29). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 30).
- EXTENSION:** A system may be granted an extension for a period not to exceed 30 days. Such request should be made by filing the enclosed *Request for Extension to File Regulatory Assessment Fee Return* form (PSC/CCA 124), two weeks prior to the filing date. If an extension is granted, a charge shall be added to the amount due:

0.75% of the fee to be remitted for an extension of 15 days or less, *or*  
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a system may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the system shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

- AUTHORITY:** The authority to collect regulatory assessment fees is granted to the Commission by Section 350.113 and 367.145, Florida Statutes.
- REGULATORY ASSESSMENT FEE DUE:** Amounts are due and payable to the Commission by March 31. If there are no revenues *OR* if revenues are insufficient to generate a minimum annual fee, remit the minimum fee. A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.
- FEE ADJUSTMENTS:** Computation errors and/or differences in gross operating revenues reported for regulatory assessment fee purposes and those reported in the annual report may cause adjustments to amounts paid to the Commission. You will be notified as to the amount and reason for any adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment.
- MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. However, if you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, FL 32399-0850

ATTENTION: Fiscal Services

- ADDITIONAL ASSISTANCE:** If you need additional information or assistance in preparing your Regulatory Assessment Fee Return, please contact the Division of Economic Regulation at (850) 413-6900 or at the above-referenced address, changing the Attention Line.