

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: October 8, 2010
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Jennifer Crawford, Attorney Supervisor, Office of the General Counsel *JSC*
RE: 971622-SU - Initiation of show cause proceedings against Landmark Enterprises, Inc. in Highlands County for violation of Rule 25-30.110(3), F.A.C., Records and Reports; Annual Reports, and Rule 25-30.120, Regulatory Assessment Fees.

Please place the attached correspondence and documents in the above-referenced closed docket file.

JSC

RECEIVED-FPSC
10 OCT - 8 PM 2: 03
COMMISSION
CLERK

DOCUMENT NUMBER-DATE

68425 OCT-8 0

FPSC-COMMISSION CLERK



REPRESENTING
ALEX SINK
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

SU686
Landmark Enterprises

October 1, 2010

Ms. Apryl C. Lynn, Director
Division of Administrative Services
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Ms. Lynn:

We reviewed your request to adjust your Department's records for uncollected accounts receivables totaling \$178,258.00. We are satisfied sufficient effort has been made to collect the amount due and it is in the State's best interest to adjust your records.

Your request is hereby approved, pursuant to the provisions of Section 17.04, Florida Statutes. Collection efforts should be renewed if your agency becomes aware of additional information that would allow the collection of this claim.

Please contact Mike Rutherford at (850) 413-5594 or claimsforcollections@myfloridacfo.com if you have any questions.

Sincerely,

Molly C. Merry

MCM/cmr

Enclosure

DIRECTOR OF ADMINISTRATIVE SERVICES

2010 OCT -5 PM 2:40

RECEIVED

FLORIDA DEPARTMENT OF FINANCIAL SERVICES
Molly C. Merry, CPA • Chief

Division of Accounting and Auditing • Bureau of Accounting

200 East Gaines Street • Tallahassee, FL 32399-0354 • Tel. 850-413-3097 • Fax 850-413-5548

Email • molly.merry@myfloridacfo.com

Affirmative Action • Equal Opportunity Employer

DOCUMENT NUMBER DATE

08425 OCT-8 09

FPSC-COMMISSION CLEAR

COMMISSIONERS:
NANCY ARGENZIANO, CHAIRMAN
LISA POLAK EDGAR
NATHAN A. SKOP

STATE OF FLORIDA



DIVISION OF
ADMINISTRATIVE SERVICES
APRYL C. LYNN
DIRECTOR
(850) 413-6330

Public Service Commission

June 11, 2010

Ms. Molly Merry
Bureau of Accounting
Financial Services
101 East Gaines Street
Tallahassee, Florida 32399-0354

Dear Ms. Merry:

The Public Service Commission (PSC) has exercised reasonable efforts to collect fines from the utility referenced below. No response has been received, therefore further collection efforts by the PSC would not be cost effective.

DOCKET NUMBER	UTILITY NAME	TOTAL AMOUNT
971622-SU	Landmark Enterprises, Inc.	\$178,258.00

The Delinquent Accounts Receivable Transmittal form, a memorandum from the Commission's Office of the General Counsel, and other supporting documentation are enclosed. At your discretion, please grant this agency permission to write off the debt.

Sincerely,

A handwritten signature in cursive script that reads "Marcia Sharma, for".

Apryl C. Lynn

AL:vm
Enclosures

c: Office of the General Counsel (Brubaker)
Division of Economic Regulation (Slemkewicz, Maurey, Kaproth)
Office of Commission Clerk (Cole)

R:\fis\Write Off Letters\FY 2009-2010\Landmark Enterprises, Inc. .doc

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action / Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

Request for Accounts Receivable Write-Off Template

Agency Name: Public Service Commission
GRC Acct #: FLPSC *(GRC - General Revenue Corporation, State's Collection Vendor)*
Contact Name: Valorie P. Moore
Contact Number: (850)413-6275
Contact Email: Vmoore@PSC.State.FL.US
Request Date: 6/4/2010

Reference No. <i>(Agency Reference Number for Debt)</i>	Name of Debtor <i>(Name of the Company or Individual)</i>	Agency Location ID <i>(Optional field for agencies with District or Regional Offices)</i>	Original Due Date of Receivable <i>(Date when the Debt originally became Due)</i>	Original Receivable Amount <i>(Amount of the Original Debt)</i>	Current Balance <i>(Current Balance of the Debt)</i>	Write-off Amount <i>(Amount of the request for Write-off)</i>	Collections Status <i>1 - Currently placed with GRC 2 - Will be placed with GRC 3 - Will not be placed with GRC</i>	Other Details <i>Give any additional details to support why the debt is uncollectible. Indicate if the Debtor is in Bankruptcy or has passed away , Etc.</i>	Due Diligence <i>Indicate how the Agency has satisfied the Due Diligence Requirement for the Debt per Chapter 691-21.003 F.A.C.(e.g., number of letters sent, etc.)</i>
SU686	Landmark Enterprises, Inc.		1997-2009	\$178,258.00	\$178,258.00	\$178,258.00	3	Utility abandoned the system	7 Delinquent Documents mailed



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: June 10, 2010
TO: Apryl C. Lynn, Director, Division of Administrative Services
FROM: Office of the General Counsel (J. Crawford) *JSC Alan JS*
Division of Economic Regulation (Slemkewicz, Maurey, Marsh, Kaproth)
RE: Docket No. 971622-SU - Initiation of show cause proceedings against Landmark Enterprises, Inc. in Highlands County for violation of Rule 25-30.110(3), F.A.C., Records and Reports; Annual Reports, and Rule 25-30.120, Regulatory Assessment Fees.

Docket No. 080236-SU - Notice of abandonment of wastewater system in Highlands County by Landmark Utilities, Inc.

Docket No. 090471-SU - Application for transfer of wastewater facilities to City of Sebring by Landmark Utilities, Inc.

Request for Permission from Department of Financial Services to write-off the uncollected regulatory assessment fees, fines, and penalties, as well as penalties for annual reports that have not been submitted, imposed on Landmark Enterprises, Inc.

On December 16, 1997, Docket No. 971622-SU was established to address Landmark Enterprises, Inc.'s (Landmark) violations of Rule 25-30.110(3), F.A.C., Records and Reports; Annual Reports, and Rule 25-30.120, Regulatory Assessment Fees.

Landmark failed to remit the penalty levied by Order No. PSC-98-0269-FOF-SU, issued on February 10, 1998. By this Order, Landmark was to show cause, in writing, within 20 days, why it should not remit a penalty in the amount of \$10,116 for violation of Rule 25-30.110, F.A.C., for failing to file its annual reports from 1993 to 1996, remit a penalty in the amount of \$385.52 and interest in the amount of \$358.36 for violations of Rule 25-30.120(5)(b) F.A.C. Landmark was also ordered to immediately remit \$3,086.38 in delinquent RAFs for 1994 and 1995.

On April 25, 2008, Docket No. 080236-SU was established whereby Landmark filed notice of abandonment of wastewater facilities to the City of Sebring. On October 9, 2009, Docket No. 090471-SU was established whereby the City of Sebring applied for transfer of wastewater facilities to City of Sebring by Landmark Utilities, Inc., as the City of Sebring was appointed receiver on June 29, 2009, by the Tenth Judicial Circuit Court in Highlands County in Case No. GC-02-560. On September 3, 2002, Landmark filed its RAF returns for 1998, 1999, 2000, and 2001. The Company made a series of payments from September 3, 2002 through February 12, 2003, totaling \$4,841.54. No further payments have been made.

By Order No. PSC-10-0197-FOF-SU, issued March 30, 2010, the Commission acknowledged the abandonment of Landmark Enterprises, Inc., the appointment of the City of Sebring as receiver for the Utility, the sale of the Utility to the City, and cancellation of Certificate No. 487-S effective June 29, 2009. The Commission ordered that staff proceed to obtain approval from the Florida Department of Financial Responsibility to write-off the uncollected regulatory assessment fees, fines, and penalties as well as penalties for annual reports that have not been submitted.

Pursuant to Order No. PSC-10-0197-FOF-SU, the Commission found that the outstanding fees, penalties, and interest calculated through March 16, 2010, total as follows:

<u>DOCKET NUMBER</u>	<u>UTILITY NAME</u>	<u>PRINCIPLE/ PENALTY/INTEREST</u>	<u>TOTAL</u>
971622-SU	Landmark Enterprises, Inc.	RAFs: \$23,395 (principle) \$ 6,543 (penalty) \$15,529 (interest)	\$ 45,468
		Annual Reports: \$132,780 (penalty)	<u>\$132,790</u>
		Total:	\$178,258

Therefore, staff requests that the Division of Administrative Services/Fiscal Services Section take the appropriate steps to seek permission from the Department of Financial Services to write-off the uncollectible amounts identified above for Landmark Enterprises, Inc.

JSC/th

cc: Office of Commission Clerk

**STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES
BUREAU OF ACCOUNTING
DELINQUENT ACCOUNTS RECEIVABLE TRANSMITTAL
(PLEASE PRINT OR TYPE)**

AGENCY: FLORIDA PUBLIC SERVICE COMMISSION DATE: MAY 13, 2010 PAGE 1 OF 1
 CONTACT: KAREN BELCHER, DIRECTOR, FISCAL SERVICES
 PHONE NUMBER: 850-413-6273
 FLAIR ACCOUNT CODE: 61 50 2 573003 610100 00 000100, 61 74 1 000331 610100 00 001200

1. Docket Nos. 971622-SU, 080236-SU, 090471-SU

Landmark Enterprises, Inc., Mr. Bob Boggus, Adm. Coordinator

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
<u>c/o City of Sebring, 321 North Mango Street, Sebring, FL 33870-3555</u>					
<u>Last Known Address (Include Zip)</u>					
<u>(863) 471-5112</u>				<u>\$23,395.00 \$139,323.00 / \$15,529.00</u>	<u>\$178,248.00</u>
<u>Home Telephone</u>	<u>Work Phone</u>			<u>Principal Amount Penalty/Interest Amount</u>	<u>Total</u>
<u>§367.145 F.S., §350.113(3)(4)F.S., and Rule 25-30.120(7)(a) F.A.C.</u>					
	<u>Penalty/Interest Authority</u>			<u>Date Debt Incurred</u>	<u>Debt Type</u>
REGULATORY ASSESSMENT FEES, PENALTIES, INTEREST, AND ANNUAL REPORT FINES FOR FAILURE TO PAY					

Debt Description, e.g., Drivers License, Property Damage

Additional Information, e.g., Date of Birth, Drivers License Number, etc

2.

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
<u>Last Known Address (Include Zip)</u>					
<u>Home Telephone</u>	<u>Work Phone</u>			<u>Principal Amount Penalty/Interest Amount</u>	<u>Total</u>
	<u>Penalty/Interest Authority</u>			<u>Date Debt Incurred</u>	<u>Debt Type</u>

Debt Description, e.g., Drivers License, Property Damage

Additional Information, e.g., Date of Birth, Drivers License Number, etc

3.

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
<u>Last Known Address (Include Zip)</u>					
<u>Home Telephone</u>	<u>Work Phone</u>			<u>Principal Amount Penalty/Interest Amount</u>	<u>Total</u>
	<u>Penalty/Interest Authority</u>			<u>Date Debt Incurred</u>	<u>Debt Type</u>

Debt Description, e.g., Drivers License, Property Damage

Additional Information, e.g., Date of Birth, Drivers License Number, etc

****DEBIT TYPE CODE****

1. RETURNED CHECK 2. NONPAYMENT FOR STATE GOODS/SERVICES 3. DAMAGE TO STATE PROPERTY
 7. COURT ORDER 8. FINES 9. OVERPAYMENT OF STATE FUNDS



REPRESENTING
ALEX SINK


CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

FLORIDA DEPARTMENT OF FINANCIAL SERVICES
BUREAU OF ACCOUNTING
200 EAST GAINES ST.
TALLAHASSEE, FL 32399 - 0354

FORWARDING SERVICE REQUESTED

FIRST CLASS



UNITED STATES POSTAGE

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0004254704 OCT 04 2010
MAILED FROM ZIP CODE 32399

Ms. Apryl C. Lynn, Director
Division of Administrative Services
Public Service Commission
2540 Shumard Oaks Boulevard
Tallahassee, Florida 32399-0850

32399\$0850 C601

