

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hearing services Completes

Docket No. 021058-WS Date Docketed: 10/17/2002 Title: Disposition of delinquent regulatory assessment fees and penalties for DeBary Associates, Inc., Econ Utilities Corporation, and Sandalhaven Utility, Inc.

Official Filing Date: Last Day to Suspend: Expiration:

Referred to: ("()") indicates OPR) AUS CAF CCA CMP (ECR) EXT GCL MMS PIF

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program/Module A10

Staff Assignments

Table with columns for OPR Staff, Staff Counsel, and OCRs (CCA) with rows for assignments.

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770 Current CASR revision level

0

Due Dates

Previous Current

Large table with 40 numbered rows and columns for Due Dates (Previous/Current).

Recommended assignments for hearing and/or deciding this case: Full Commission Commission Panel Hearing Examiner Staff

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Table for Hearing Officer(s) assignments with columns for Commissioners (ALL, JB, DS, BZ, PL, BD), Hrg. Exam., and Staff.

- Prehearing Officer

Table for Prehearing Officer assignments with columns for Commissioners (JB, DS, BZ, PL, BD) and ADM.

DOCUMENT NO 13737-03

Where panels are assigned the senior Commissioner is Panel Chairman, the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: Date: / /

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hearing - ices Completes

Docket No. 021058-WS Date Docketed: 10/17/2002 Title: Disposition of delinquent regulatory assessment fees and penalties for DeBary Associates, Inc., Econ Utilities Corporation, and Sandalhaven Utility, Inc.  
 Company: DeBary Associates, Inc.  
 Econ Utilities Corporation  
 Sandalhaven Utility, Inc.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_ Expiration: \_\_\_\_\_

Referred to: \_\_\_\_\_  
 ("()" indicates OPR) AUS CAF CCA CMP ECR EXT (GCL) MMS PIF  
 \_\_\_\_\_ \_\_\_\_\_ X \_\_\_\_\_ X \_\_\_\_\_ X \_\_\_\_\_

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program/Module A10

Staff Assignments

OPR Staff R Jaeger  
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Staff Counsel R Jaeger  
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OCRs (CCA) J Knight  
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(ECR) K Kaproth  
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**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.  
 IT IS TENTATIVE AND SUBJECT TO REVISION.  
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770  
 Current CASR revision level**

0

1. Staff Recommendation
2. Agenda
3. Standard Order
4. Close Docket or Revise CASR
5. \_\_\_\_\_
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Due Dates

Previous Current

	Previous	Current
1. Staff Recommendation	NONE	12/05/2002
2. Agenda	NONE	12/17/2002
3. Standard Order	NONE	01/06/2003
4. Close Docket or Revise CASR	NONE	02/11/2003
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 10/22/2002

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JB	DS	BZ	PL	BD		
X							

- Prehearing Officer

Commissioners					ADM
JB	DS	BZ	PL	BD	
					X

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [Signature]

Date: 10/22/2002

CCA Official Filing:

1/3/03\*\*\*\*\*10:42 AM\*\*\*\*\*Matilda Sanders\*\*\*\*\*1

**Matilda Sanders**

0017 - FOP

**From:** Janice Banka  
**Sent:** Friday, January 03, 2003 10:42 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

13

**Date and Time:** 1/3/03 10:41:00 AM  
**Docket Number:** 021058-SU  
**Filename / Path:** 021058or.rrj

Order Declining to Initiate Show Cause Proceedings, Referring Delinquent Regulatory Assessment Fees and Associated Penalties and Interest to the Office of the State Comptroller and Closing Docket.

Number of pages in order - 13.

Thanks "J"

2/1

STATE OF FLORIDA

LAE

Commissioners:  
E. LEON JACOBS, JR., CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI



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

# Public Service Commission

November 19, 2001

Ms. Mary Ann Connors  
DeBary Associates, Inc.  
123 West Indiana Avenue  
4th Floor, Thomas C. Kelly Building  
DeLand, Florida 32720-4613

VIA CERTIFIED MAIL

021058-WS

FPSC, CLK - CORRESPONDENCE  
\_\_\_Administrative\_\_\_ Parties \_\_\_ Consumer  
DOCUMENT NO. 13737-03  
DISTRIBUTION: \_\_\_\_\_

Re: Delinquent Regulatory Assessment Fees

Dear Ms. Connors:

I am writing you in reference to outstanding regulatory assessment fees (RAFs), penalties and interest owed by DeBary Associates, Inc. (DeBary or utility). According to our records, DeBary owes outstanding RAFs, plus penalties and interest for the months of January through May of 2000.

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 for not 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 charges 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.

Ms. Mary Ann Connors  
November 19, 2001  
Page 2

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

<u>YEAR</u>	<u>RAF AMOUNT</u>	<u>PENALTY</u>	<u>INTEREST</u>	<u>TOTAL</u>
January-May, 2000	\$1,550.96	\$387.73	\$124.07	\$2,062.76
			<b>TOTAL DUE</b>	<b>\$2,062.76</b>

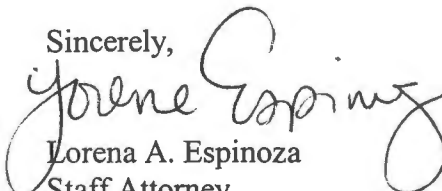
Pursuant to Rule 24-30.120(7), Florida Administrative Code, DeBary has an ongoing responsibility to pay interest of one percent every thirty days on the unpaid balance of the RAFs. The amounts shown above have been calculated as of November 30, 2001. The amounts are subject to change and increase over time, and any delay in payment past November 30, 2001, may subject you to additional penalties and interest. Therefore, please submit payment of \$2,062.76 by check made payable to the Florida Public Service Commission.

Your payment in the amount set forth above is due on or before November 30, 2001, and should be mailed with a copy of this letter to the Fiscal Services Section, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, Attention: Karen Belcher.

In addition, if payment has not been received by November 30, 2001, the Commission may initiate show cause proceedings. If show cause proceedings are initiated, and DeBary 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. Espinoza  
Staff Attorney

LAE/dm

cc: Division of the Commission Clerk and Administrative Services (Belcher, Knight)  
Division of Economic Regulation (Kaproth, Mailhot)

I:\Debary.lae

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

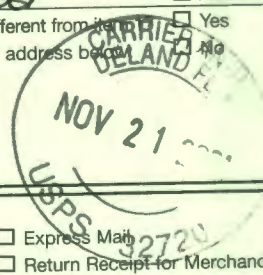
Ms. Mary Ann Connors  
DeBary Associates, Inc.  
123 West Indiana Avenue  
4th FL, Thomas C. Kelly Bldg.  
DeLand, FL 32720-4613

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature  Agent  
*X Jey Barts*  Addressee

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below  No



3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)

7000 0600 0007 1507 2498

STATE OF FLORIDA

Commissioners:  
E. LEON JACOBS, JR., CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI



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

# Public Service Commission

November 28, 2001

Mr. Charles Shallet  
DeBary Associates, Inc.  
1 Leisure Drive South  
DeBary, Florida 32713

FPSC, CLK - CORRESPONDENCE  
\_\_\_Administrative\_\_\_ Parties \_\_\_ Consumer  
DOCUMENT NO. 13737-03  
DISTRIBUTION: \_\_\_\_\_

VIA CERTIFIED MAIL

Re: Delinquent Regulatory Assessment Fees

Dear Mr. Shallet:

I am writing you in reference to outstanding regulatory assessment fees (RAFs), penalties and interest owed by DeBary Associates, Inc. (DeBary or utility). According to our records, DeBary owes outstanding RAFs, plus penalties and interest for the months of January through May of 2000.

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 for not 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 charges 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.

Mr. Charles Shallet  
November 19, 2001  
Page 2

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

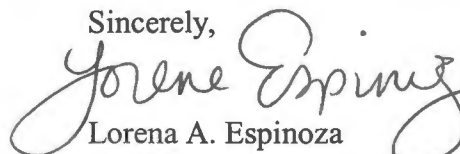
<u>YEAR</u>	<u>RAF AMOUNT</u>	<u>PENALTY</u>	<u>INTEREST</u>	<u>TOTAL</u>
January-May, 2000	\$1,550.96	\$387.73	\$124.07	\$2,062.76
			<b>TOTAL DUE</b>	<b>\$2,062.76</b>

Pursuant to Rule 24-30.120(7), Florida Administrative Code, DeBary 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 November 30, 2001. The amounts are subject to change and increase over time, and any delay in payment past November 30, 2001, may subject you to additional penalties and interest. Therefore, please submit payment of \$2,062.76 by check made payable to the Florida Public Service Commission.

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In addition, if payment has not been received by November 30, 2001, the Commission may initiate show cause proceedings. If show cause proceedings are initiated, and DeBary 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. Espinoza  
Staff Attorney

LAE/dm

cc: Division of the Commission Clerk and Administrative Services (Belcher, Knight)  
Division of Economic Regulation (Kaproth, Mailhot)

I:\Debary.lae

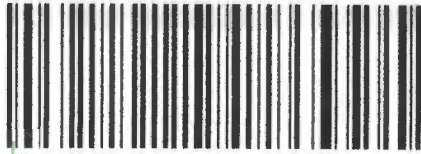


CERTIFIED MAIL

10111

State of Florida  
**Public Service Commission**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



7000 0600 0027 1506 7098

- Not Delivered To Addressee
- Unable To Deliver
- Insufficient Address
- Moved, Left No Address
- Unclaimed  Refused
- Attempted-Not Known
- No Such Street  Number
- Vacant  Illegible
- No Mail Receipts
- Box Closed-No Order
- Returned For Better Address
- Postage Due

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FLORIDA PUBLIC SERVICE  
LEGAL DIVISION

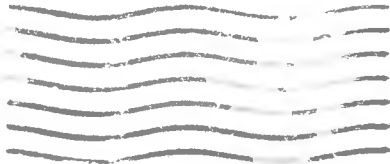
Mr. Charles Shallet  
DeBary Associates, Inc.  
1 Leisure Drive South  
DeBary, Florida 32713

12/1



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FW 12/16/01



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

October 16, 2002

FPSC, CLK - CORRESPONDENCE  
\_\_Administrative\_\_ Parties \_\_Consumer\_\_  
DOCUMENT NO. 13737-03  
DISTRIBUTION: \_\_\_\_\_

William R. Kasser  
Econ Utilities, Corp.  
c/o Magna Properties, Inc.  
664 S. Military Trail  
Deerfield Beach, FL 33442

021058-WS

Re: Delinquent Regulatory Assessment Fees

Dear Mr. Kasser:

I am writing you in reference to outstanding regulatory assessment fees (RAFs), penalties and interest owed by Econ Utilities Corporation (Econ or utility). According to our records, Econ owes outstanding RAFs, plus penalties and interest for the months of January and February of 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. Five percent of the fee if the failure is for not more than 30 days, with an additional five 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 Econ owes the following through October 31, 2002:

William R. Kasser  
Page 2  
October 16, 2002

JAN./FEB. 1996	RAF AMOUNT	PENALTY	INTEREST THRU 10/31/02	TOTAL
Water	\$1,579.99	\$395.00	\$1,058.59	\$3,033.58
Wastewater	\$2,382.78	\$595.70	\$1,596.47	\$4,574.95
Total	\$3,962.77	\$990.70	\$2,655.06	\$7,608.53

If payment is not submitted until November 2002, interest will increase by \$15.80 for water and by \$23.82 for wastewater, for a total due of \$7,648.15.

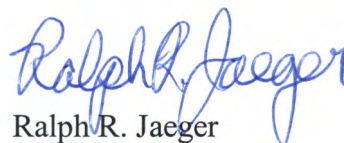
Pursuant to Rule 24-30.120(7), Florida Administrative Code, Econ has an ongoing responsibility to pay interest of one percent every thirty days on the unpaid balance of the RAFs. The amounts shown above have been calculated as of October 31, 2002 and November 30, 2002. The amounts are subject to change and increase over time, and any delay in payment past November 30, 2002, may subject you to additional penalties and interest. Therefore, please submit payment of \$7,608.53 if remitted by October 31, 2002, or \$7,648.15 if remitted by November 30, 2002. The check should be made payable to the Florida Public Service Commission.

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

In addition, if payment has not been received by November 30, 2002, the Commission may initiate show cause proceedings. If show cause proceedings are initiated, and Econ 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) 413-6234 if you have any questions regarding the matters discussed herein.

Sincerely,



Ralph R. Jaeger  
Senior Attorney

RRJ/jb

cc: Division of the Commission Clerk and Administrative Services (Belcher, Knight)  
Division of Economic Regulation (Kaproth, Mailhot)

I:\econkasserl\tr.rj

29

**State of Florida**  
**Public Service Commission**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



- INSUFFICIENT ADDRESS
  - NO SUCH NUMBER
  - UNCLAIMED  REFUSED
  - ATTEMPTED NOT KNOWN
  - NO SUCH STREET
  - VACANT
  - NO RECEPTACLE
  - NOT DELIVERABLE AS  
ADDRESSED UNABLE  
TO FORWARD
- ROUTE NO \_\_\_\_\_ DATE \_\_\_\_\_  
CARR/INITIALS \_\_\_\_\_



William R. Kasser  
Econ Utilities, Corp.  
c/o Magna Properties, Inc.  
664 S. Military Trail  
Deerfield Beach, FL 33442

32399/0850  
3344243023 44



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

October 16, 2002

FPSC, CLK - CORRESPONDENCE

Administrative Parties Consumer

DOCUMENT NO. 13737-03

DISTRIBUTION: \_\_\_\_\_

Mr. Gerald F. Blake  
c/o Magna Properties, Inc.  
442 S. Military Trail,  
Deerfield Beach, Fl. 33442

Re: Delinquent Regulatory Assessment Fees

Dear Mr. Blake:

I am writing you in reference to outstanding regulatory assessment fees (RAFs), penalties and interest owed by Econ Utilities Corporation (Econ or utility). According to our records, Econ owes outstanding RAFs, plus penalties and interest for the months of January and February of 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:

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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 Econ owes the following through October 31, 2002:

Gerald F. Blake  
Page 2  
October 16, 2002

JAN./FEB. 1996	RAF AMOUNT	PENALTY	INTEREST THRU 10/31/02	TOTAL
Water	\$1,579.99	\$395.00	\$1,058.59	\$3,033.58
Wastewater	\$2,382.78	\$595.70	\$1,596.47	\$4,574.95
Total	\$3,962.77	\$990.70	\$2,655.06	\$7,608.53

If payment is not submitted until November 2002, interest will increase by \$15.80 for water and by \$23.82 for wastewater, for a total due of \$7,648.15.

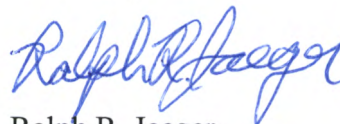
Pursuant to Rule 24-30.120(7), Florida Administrative Code, Econ has an ongoing responsibility to pay interest of one percent every thirty days on the unpaid balance of the RAFs. The amounts shown above have been calculated as of October 31, 2002 and November 30, 2002. The amounts are subject to change and increase over time, and any delay in payment past November 30, 2002, may subject you to additional penalties and interest. Therefore, please submit payment of \$7,608.53 if remitted by October 31, 2002, or \$7,648.15 if remitted by November 30, 2002. The check should be made payable to the Florida Public Service Commission.

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

In addition, if payment has not been received by November 30, 2002, the Commission may initiate show cause proceedings. If show cause proceedings are initiated, and Econ 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) 413-6234 if you have any questions regarding the matters discussed herein.

Sincerely,



Ralph R. Jaeger  
Senior Attorney

RRJ/jb

cc: Division of the Commission Clerk and Administrative Services (Belcher, Knight)  
Division of Economic Regulation (Kaproth, Mailhot)

I:\econblakeltr.rj

State of Florida  
**Public Service Commission**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

*RJ*

*Econ  
Returned*



MOVED, LEFT NO ADDRESS  
 FORWARDING OR RETURN EXP. ENDED  
 UNCLAIMED  NOT KNOWN  
 WRONG STREET  REFUSED  
POSTAL NUMBER  
PRECEDENT ADDRESS  
MAIL RECEIPT  
DATE

*4212 10/18/02*

Mr. Gerald F. Blake  
c/o Magna Properties, Inc.  
442 S. Military Trail  
Deerfield Beach, FL 33442

