

(2) Persons who engage in the transportation of natural or manufactured gas must provide the Department with a list of customers to whom transportation services were provided in the prior year. A person may satisfy the customer-reporting requirement by: 1) providing a written list of customers to the Department; or 2) maintaining a publicly-accessible customer list on the person's Internet web site. The person must provide the written list of customers or the Internet address of the publicly-accessible Internet web site by January 31 of each year to GTA Miscellaneous Tax Coordinator, c/o GTA Program Director, Florida Department of Revenue, 5050 W. Tennessee Street, Bldg D-1, Tallahassee, Florida 32399-0100. Persons who choose to satisfy the customer-reporting requirement by posting a list of customers on a publicly-accessible Internet web site must update the list by January 31 of each year. This reporting requirement does not apply to distribution companies. Any person required to furnish such a list may elect to identify only those customers who take direct delivery without purchasing interconnection services from a distribution company.

This rule shall take effect on January 1, 2007.

Specific Authority s. 3, Ch. 2005-148, L.O.F. Law Implemented 203.01, 203.06, 213.235, 213.37, 213.755, 215.26 FS. History—New 1-1-07.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 1, 2007

#### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

#### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

#### **WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on December 1, 2006, South Florida Water Management District (District) received a request for Withdrawal of Petition for Variance from Pebb Enterprises University Bank Building Ltd., Application No. 060329-36, Environmental Resource Permit No. 50-07631-P, for construction of ISLA VERDE AT WELLINGTON. Notice of receipt of petition requesting waiver was published in the F.A.W., Vol 32, No. 49, on December 8, 2006.

A copy of the withdrawal request may be obtained from: Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail at [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

NOTICE IS HEREBY GIVEN that on December 4, 2006 South Florida Water Management District (District) received a petition for waiver from Gulfstream Natural Gas System, LLC Application No. 06-1204-3, for utilization of Works or Lands of the District known as the L-65 Canal, Martin County for proposed 30" buried natural gas transmission pipeline within the west right of way of L-65, Sections 22, 26 35 and 14, Township 39 and 40 South, Range 37 East. The petition seeks relief from paragraph 40E-6.221(2)(j), and subsection 40E-6.221(8), Florida Administrative Code, which prohibit the placement of transmission lines within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff, (561)682-6320 or e-mail at [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov). The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN that on December 4, 2006 South Florida Water Management District (District) received a petition for waiver from Gulfstream Natural Gas System, LLC Application No. 06-1204-4, for utilization of Works or Lands of the District known as the L-8 Canal, Palm Beach County for proposed 30" buried natural gas transmission pipeline within the west right of way of L-8, Sections (multiple), Township 41, 42 and 43 South, Range 37, 38, 39 and 40 East. The petition seeks relief from paragraph 40E-6.221(2)(j), and subsection 40E-6.221(8), Florida Administrative Code, which prohibit the placement of transmission lines within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff, (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

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#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Bureau of Elevator Safety hereby gives notice that on 12/4/06, it Issued an Order Granting Variance Request in response to a petition filed 9/26/2006 and advertised in the F.A.W., Vol. 32, No. 42, by Steve Powell of KONE, Inc. regarding Elks Lodge in Pensacola Beach, FL (VW 2006-242). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 12/4/06, it Issued an Order Granting Variance Request in response to a petition filed 9/26/2006 and advertised in the F.A.W., Vol. 32, No. 42, by Steve Powell of KONE, Inc. regarding Park Place on Seagrove Beach in Seagrove Beach, FL (VW 2006-243). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of

safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202

The Bureau of Elevator Safety hereby gives notice that on 12/4/06, it Issued an Order Granting Variance Request in response to a petition filed 10/24/2006 and advertised in the F.A.W., Vol. 32, No. 45, by Steve Powell of KONE, Inc. regarding BCBE Corporate Office Building in Naples, FL (VW 2006-277). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on November 28, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Chely's Catering of Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on October 20, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Days Inn & Suites University located in Orlando. The above referenced F.A.C. states each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated. The Petitioner is requesting to use the one existing bathroom facility and a neighboring establishment, but have seating of twenty-four (24).

Subsection 28-104.005(1), Florida Administrative Code, provides as follows: The agency shall grant or deny a petition for emergency variance or waiver within 30 days of its receipt by the agency. If such petition is not granted or denied within this time limit, the petition shall be deemed approved unless

the time limit is waived by the petitioner. The above-quoted rule places the burden upon the Division to act upon the Petitioner's request within 30 days of receipt. The Division, having not met the 30-day requirement of this Rule, has therefore no option other than approve this request. WHEREFORE, and for the foregoing reasons and with the aforesaid restrictions, the Petitioner's Petition for Variance is deemed GRANTED.

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NOTICE IS HEREBY GIVEN that on December 6, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-1.004(1), paragraph 61C-1.004(2)(a), subsections 61C-4.010(6) and 61C-4.010(7), Florida Administrative Code, from the Spanish Bakery located in St. Augustine. The above referenced Florida Administrative Code address water, plumbing, waste, physical facilities, and public bathrooms. The specific code sites mentioned above reference the 2001 FDA Food Code chapters five and six. Specifically Petitioner is requesting to use alternative methods for sewage disposal, use a portable handsink, and public bathroom facilities.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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NOTICE IS HEREBY GIVEN that on December 4, 2006, the Board of Accountancy has issued an order.

The order is regarding the Petition for Waiver or Variance, filed on June 30, 2006, by Vickie L. Bebout. The Notice of Petition for Waiver or Variance was published in the F.A.W., Vol. 32, No. 29, of the July 21, 2006 issue. The Petitioner sought a waiver or variance of subsection 61H1-28.0052(4), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" with regard to allowing an extension of time for passing all four sections of the CPA examination. The Board considered the instant Petition at a duly-noticed public meeting, held September 15, 2006, in Tampa, Florida. The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-28.0052(4), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Acting Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN that on December 5, 2006, the Board of Accountancy, received a petition for Bradley R. Smith, seeking a variance or waiver of subsection 61H1-31.001(10), Florida Administrative Code, and the requirement that a licensee must pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period. The Petitioner is also seeking a variance or waiver of paragraph 61H1-33.003(1)(b), F.A.C., and the requirement that a licensee complete an additional 8 hours of Accounting and Auditing subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Acting Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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NOTICE IS HEREBY GIVEN that on November 27, 2006, the Department of Environmental Protection, received a petition for variance pursuant to Section 120.542, Florida Statutes, and Rule Chapter 28-104, F.A.C., from Lewis Barton. The petition requests a variance of subsection 62B-33.013(3), F.A.C., which provides for one three-year time extension to complete activities permitted by the Department. The petitioner is seeking a permanent variance from the above cited Rule. The property is located at 2025 Surfside Terrace, Vero Beach, Indian River County.

A copy of the Petition for Variance or Waiver may be obtained by contacting Rosaline Beckham at (850)488-7815, or by e-mail at: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us). The petition is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 5050 West Tennessee Street, Bldg. B, Suite 160, Tallahassee, Florida 32304. Any comments should be filed in writing with the Department at 3900 Commonwealth Blvd., M.S. 300, Tallahassee, Florida 32399-3000, and should be submitted within 30 days of the date of this publication.

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that on December 6, 2006, the Board of Medicine, received a petition for waiver or variance from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for official transcripts from Petitioner's medical school filed by Linda Rouel, M.D.

Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

**Section VI****Notices of Meetings, Workshops and Public Hearings****DEPARTMENT OF STATE**

The **Friends of Mission San Luis**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 8, 2007, 12:00 Noon

PLACE: Mission San Luis, Moore House, 2021 W. Mission Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business to be discussed will include fundraising and endowment activities and other board business.

If you have questions or would like a copy of the agenda, please feel free to contact Ms. Elyse Cornelison, (850)487-1666.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **Department of Agriculture and Consumer Services** announces the following monthly public meeting of the Pesticide Registration Evaluation Committee to which all interested persons are invited.

DATE AND TIME: February 1, 2007, 9:00 a.m.

PLACE: Building 6, Room 606, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the meeting agenda may be obtained by contacting the Pesticide Registration Section, (850)487-2130 or from the PREC web site at: [http://www.flaes.org/pesticide/pesticide\\_registration.html](http://www.flaes.org/pesticide/pesticide_registration.html).

CONTACT: Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Bldg. 6, Room 601, Tallahassee, Florida 32399-1650, (850)487-2130.

**DEPARTMENT OF EDUCATION**

The Direct Support Organization of the Florida **Division of Blind Services** announces the following Board of Directors Meeting to which all interested persons are invited.

DATE AND TIME: January 10, 2007, 1:00 p.m. – 5:00 p.m.

PLACE: Blind Services Foundation, 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, (407)210-6607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board Meeting.

A copy of the agenda may be obtained by contacting: Gil Robinson, 4700 Millenia Blvd., Suite 175, Orlando, Florida 32839, (407)210-6607.

If a person decides to appeal any decision made by the Board of Directors with respect to any matter considered at such meeting, the person will need a record of the proceedings.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact the individual listed above no later than three working days prior to the meeting.

The **University of South Florida**, Louis de la Parte Florida Mental Health Institute announces a Briefing for Policy Makers on the Use of Mental Health Drugs with Children. The Trends, the Rationale and the Issues conference, to which all persons are invited.

DATE AND TIME: Friday, January 12, 2007, 9:00 a.m. – 2:00 p.m.

PLACE: Double Tree Hotel, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Experts in child and adult mental health will review the science behind the appropriate use of antipsychotics and the controversy surrounding those medications and present findings from the Florida Medicaid Drug Therapy Management Program for Behavioral Health.

Accommodations for Disabilities: Person with a documented disability requesting reasonable accommodations should contact: Marie McPherson, Department of Mental Health Law and Policy, 13301 Bruce B. Downs Blvd., Tampa, FL 33612, (813)974-5378 or email [mmcpherson@fmhi.usf.edu](mailto:mmcpherson@fmhi.usf.edu) at least 5 days in advance of the meeting. Persons with hearing or speech impairments should also contact Marie McPherson by using the Florida Relay System, 1(800)955-8770 (Voice) or 1(800)955-8772 (TDD).

The **Commission for Independent Education** announces a conference call committee meeting to which all persons are invited.