

DATE AND TIME: March 13, 2008, 8:00 a.m.
PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.
A copy of the agenda may be obtained by contacting Joe Wallace at (407)282-3944.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

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."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by Embarq Florida, Inc. on February 11, 2008. The following is a summary of the agency's disposition of the petition:

The petitioner may require a deposit pursuant to Rule 25-4.094, F.A.C., as a condition to providing carrier-of-last-resort service to the Treviso Bay Development. Docket No. 070649-TL.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Rick and Christine H. Irizarry, Unit Owners, In RE: Laguna Pointe Condominium Association of Pensacola, Inc., Docket No. 2008007346. The petition seeks the agency's opinion as to the applicability of Chapter 718, F.S. as it applies to the petitioner. Whether Laguna Pointe Condominium Association of Pensacola, Inc. may adopt a rule for responding to informal unit owner inquiries not governed by Section 718.112(2)(a)2., Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Rick and Christine H. Irizarry, Unit Owners, In RE: Laguna Pointe Condominium Association of Pensacola, Inc., Docket No. 2008007352. The petition seeks the agency's opinion as to the applicability of Chapter 718, F.S., as it applies to the petitioner. Whether an architect's fees due under a contract with Laguna Pointe Condominium Association of Pensacola, Inc. for services previously rendered continues to be a common expense under Section 718.115, Florida Statutes, payable by special assessment under Section 718.116, Florida Statutes, where the architect has placed individual liens on units under Section 718.121, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Douglas LeFevre, Unit Owner, In RE: Sandpiper Resort Co-op, Inc., Docket No. 2008004050. The petition seeks the agency's opinion as to the applicability of Chapter 719, F.S., as it applies to the petitioner.

Whether Sandpiper Resort Cooperative, Inc. may revoke its prior authorization for an owner to park his boat on the common area by amending its rules and regulations under Section 719.106, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Board of Employee Leasing Companies hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of American Pool Service of Orlando, LLC., on February 5, 2008. The Petitioner seeks the Board's opinion as to whether the terms of an agreement to provide personnel to one of its customers amounts to a "temporary help arrangement" within the meaning of Section 468.520(4)(a), Florida Statutes (2007), or a "facilities staffing arrangement" within the meaning of Section 468.520(4)(c), Florida Statutes (2007). The Board will consider this Petition during a telephonic conference call to be held on March 19, 2008. The call-in number for the meeting is 1(888)808-6959, and the Conference Code is 9226020.

Copies of the Petition may be obtained by writing: Mr. Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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."

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Dentistry has received the petition for declaratory statement from Lester J. Perling, P.A. on behalf of Larry B. Kawa, D.D.S. The petition seeks the agency's opinion as to the applicability of Section 466.028(1)(x), Florida Statutes, as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 466.028(1)(x), Florida Statutes, and whether use of alternative imaging resources in lieu of plaster models in the diagnosis and treatment of malocclusions does not constitute a departure from "the minimum standards of performance in diagnosis and treatment when measured against generally prevailing peer performance" for an orthodontic practitioner licensed under Chapter 466, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

Please refer all comments to: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT the Board of Dentistry has received the petition for declaratory statement from Steven M. Kiffel, M.D., D.D.S., on February 5, 2008. The petition seeks the agency's opinion as to the applicability of paragraph 64B5-14.003(1)(f), F.A.C., as it applies to the petitioner.

The petition seeks the Board's interpretation of paragraph 64B5-14.003(1)(f), F.A.C., and whether a dentist who is not certified in IV sedation can assist a physician anesthesiologist to provide IV sedation in a dental office; and if he/she can provide portions of the dental treatment with a dentist who is trained in IV sedation present or immediately available at the dental facility.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

Please refer all comments to: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT the Board of Dentistry has received the petition for declaratory statement from Steven M. Kiffel, M.D., D.D.S., on February 4, 2008. The petition seeks the agency's opinion as to the applicability of Rules 64B5-14.005, 64B5-14.007, 64B5-14.008, 64B5-14.009 and 64B5-14.010, F.A.C., as it applies to the petitioner.

The petition seeks the Board's interpretation of Rules 64B5-14.005, 64B5-14.007, 64B5-14.008, 64B5-14.009 and 64B5-14.010, F.A.C., and whether establishment of an Outpatient Dental Surgery Center (ODSC) that would offer the equivalent environment provided to the medical community in an Ambulatory Surgery Center (ASC) would violate the credentialing and accreditation requirements.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

Please refer all comments to: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has declined to rule on the petition for declaratory statement filed by John J. Cunningham, Fire Marshal City of Cape Canaveral, on November 27, 2007. The following is a summary of the agency’s declination of the petition: The Petition was withdrawn by the Petitioner.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Office of Insurance Regulation has received the petition for declaratory statement from the AFP Accumulation Trust. The petition seeks the agency’s opinion as to the applicability of “Florida’s Viatical Settlement Laws” and alternatively Section 626.9911(10), F.S., as it applies to the petitioner.

A Florida resident establishes an Irrevocable Life Insurance Trust. The beneficiary of the trust wishes to sell its interest to an accredited investor in California. Petitioner wishes to know if “Florida’s Viatical Settlement Laws” and alternatively Section 626.9911(10), F.S., apply to the situation.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Bob Prentiss at bob.prentiss@fldfs.com. Please refer all comments to Bob Prentiss at bob.prentiss@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Office of Insurance Regulation has issued an order disposing of the petition for declaratory statement filed by NMHC Group Solutions Insurance, Inc. on February 8, 2008. The following is a summary of the agency’s disposition of the petition:

The operation NMHC has described in its Petition falls within the purview of Section 626.88(1), Florida Statutes, which provides the definition of an “administrator”. If NHMC seeks to offer the self-insured EGWP product as started in its Petition, NMHC must either maintain its Florida Certificate of Authority as a life and health insurer or obtain a Certificate of Authority as a third party administrator in the State of Florida, in accordance with the Florida Insurance Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting Amanda Parnell at amanda.parnell@fldfs.com.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

Notice of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITN08SV-211, Annual Contract for Underground Construction. Proposals are due on or before April 1, 2008 at 3:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Annual contract for machine and hand trenching, pushing/boring under or saw cutting of asphalt, concrete surfaces (sidewalks, streets, road ways, etc.), machine or hand digging splice/test holes, laying PVC conduit or other pipes for utility services, placing telecommunications cabling and fiber optic cables, termination of telecommunications