

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—8-31-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: August 31, 2007

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."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT on August 10, 2007, the Florida Public Service Commission, received a petition for DOCKET NO. 070304-EI from Florida Public Utilities (FPUC) seeking a waiver of portions of Rule 25-6.043, Florida Administrative Code. The rule provides Minimum Filing Requirements (MFRs) for information that utilities subject to the Commission's rate regulation must provide when they submit petitions to the Commission for rate relief. FPUC has requested waivers of Schedules C-37 through C-41, so that the schedules will reflect a comparison of actual expenses to a calculated expense expanded by the Consumer Price Index through the historic year 2006 rather than through the projected 2008 projected test year.

Comments on the petition should be filed with the Florida Public Service Commission, Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Florida Public Service Commission, Office of the Commission Clerk, 2540 Shumard Oak Boulevard,

Tallahassee, Florida 32399-0850 or at <http://www.psc.state.fl.us>. For additional information, please contact Martha Carter Brown, Office of the General Counsel, at the above address or telephone (850)413-6187.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on August 29, 2007, the South Florida Water Management District (District), received a petition for waiver from John Carl Clements, Application No. 07-0829-1 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the L-28, Miami-Dade County, to allow utilization of the District's L-28 right of way for temporary vehicular access to privately-owned land lying in multiple Sections through Township 54, 53, 52S, Range 35E. The petition seeks relief from subsection 40E-6.221(9), Florida Administrative Code, which governs the requirement that, except for both private and public utilities, an applicant must own or lease the land lying adjacent to the District Work within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting Juli Triola at (561)682-6268 or e-mail at jtriola@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 the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Triola, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on August 29, 2007, the South Florida Water Management District (District), received a petition for waiver from Anthony Sabatino, Sr., Application No. 07-0829-2 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the L-28, Miami-Dade County, to allow utilization of the District's L-28 right of way for temporary vehicular access to privately-owned land lying in multiple Sections through Township 54, 53, 52S, Range 35E. The petition seeks relief from subsection 40E-6.221(9), Florida Administrative Code, which governs the requirement that, except for both private and public utilities, an applicant must own or lease the land lying adjacent to the District Work within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting Juli Triola at (561)682-6268 or e-mail at jtriola@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 the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Triola, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on August 29, 2007, the South Florida Water Management District (District), received a petition for waiver from Edwin L. Young, Application No. 07-0829-3 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the L-28, Miami-Dade County, to allow utilization of the District's L-28 right of way for temporary vehicular access to privately-owned land lying in multiple Sections through Township 54, 53, 52S, Range 35E. The petition seeks relief from subsection 40E-6.221(9), Florida Administrative Code, which governs the requirement that, except for both private and public utilities, an applicant must own or lease the land lying adjacent to the District Work within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting Juli Triola at (561)682-6268 or e-mail at jtriola@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 the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Triola, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on August 29, 2007, the South Florida Water Management District (District), received a petition for waiver from Mario Richard Cappelletti, Application No. 07-0829-4 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the L-28, Miami-Dade County, to allow utilization of the District's L-28 right of way for temporary vehicular access to privately-owned land lying in multiple Sections through Township 54, 53, 52S, Range 35E. The petition seeks relief from subsection 40E-6.221(9), Florida Administrative Code, which governs the requirement that, except for both private and public utilities, an applicant must own or lease the land lying adjacent to the District Work within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting Juli Triola at (561)682-6268 or e-mail at jtriola@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 the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Triola, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on August 29, 2007, the South Florida Water Management District (District), received a petition for waiver from Michael Claude Grant, Application

No. 07-0829-5 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the L-28, Miami-Dade County, to allow utilization of the District's L-28 right of way for temporary vehicular access to privately-owned land lying in multiple Sections through Township 54, 53, 52S, Range 35E. The petition seeks relief from subsection 40E-6.221(9), Florida Administrative Code, which governs the requirement that, except for both private and public utilities, an applicant must own or lease the land lying adjacent to the District Work within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting Juli Triola at (561)682-6268 or e-mail at jtriola@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 the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Triola, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on August 24, 2007, the Board of Accountancy, received a petition for Shirley Gofrank, seeking a variance or waiver of subsection 61H1-31.001(10), Florida Administrative Code, which requires that a licensee pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period.

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

NOTICE IS HEREBY GIVEN THAT on August 27, 2007, the Board of Accountancy, received a petition for Usman A. Sayeed, 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.

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

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 on December 11, 2006, the Board of Hearing Aid Specialists has issued an order.

The Board of Hearing Aid Specialists hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for James Daniel Clark. The Notice of Petition for Variance or Waiver was published in Vol. 32, No. 45, of the November 9, 2006, F.A.W. The Board considered the Petition at a duly-noticed public meeting held on November 17, 2006.

The Board's Order, filed on December 11, 2006, grants the Petition for Variance or Waiver of subsection 64B6-8.003(8), Florida Administrative Code. The Board finds that the Petitioner has complied with Section 120.542(2), Florida Statutes, and that the Petition for Waiver and Variance should be granted on the following grounds: Petitioner states that his second attempt to take the examination should not count as a failed attempt because his documentation was correct at that time and that in fact he was eligible to take the examination. The Board found that the Petitioner has established that he should be eligible to sit for and take one examination.

A copy of the Order may be obtained by contacting: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on August 28, 2007, the Board of Medicine has issued an order.

The Petition for Waiver and/or Variance was filed by Sarla K Saujani, M.D., on May 18, 2007, seeking a 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. The Notice was published in Vol. 33, No. 22, of the F.A.W., on June 1, 2007. The Credentials Committee, at its meeting held on July 20, 2007, recommended that Petitioner's request for waiver or variance be granted. The Board, at its meeting held on August 11, 2007, accepted the Committee's recommendation and voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship and met the purpose of the underlying statute.

A copy of the Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

NOTICE IS HEREBY GIVEN THAT on August 29, 2007, the Board of Medicine issued an order. The Petition for Waiver and/or Variance was filed by Jesse Brancalone, on June 19,

2007, seeking a waiver or variance from subsection 64B8-45.001(1), F.A.C., with regard to the limitation on the number of hours permitted for home study continuing education. The Notice was published in Vol. 33, No. 26, of the F.A.W., on June 29, 2007. The Board, at its meeting held on August 11, 2007, granted the Petition for Waiver or Variance, but the waiver shall apply only to the Petitioner's licensure biennium which ended on May 31, 2007. The granting of the Petition was based upon the Board's finding that the Petitioner demonstrated a substantial hardship and met the purpose of the underlying statute.

The Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

NOTICE IS HEREBY GIVEN THAT on August 31, 2007, the Board of Podiatric Medicine, received a petition for Frederick Nicholas Day, seeking a variance or waiver of Rules 64B18-11.001 and 64B18-11.002, F.A.C., which provides that an application file for licensure is not complete unless it contains verification of a passing score from the examination of the National Board of Podiatric Medical Examiners, including Part I, Part II, and the PMLexis Examination administered after August 1996.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board of Podiatric Medicine within 14 days of publication of this notice.

Section VI

Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
Financial Services Commission
Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles
Department of Law Enforcement
Department of Revenue
Department of Education
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection

DATE AND TIME: October 2, 2007, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida