

Stop-Work Order, the employer must pay all penalties assessed and must provide proof of compliance with the coverage requirements of Chapter 440, F.S.

Rulemaking Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7) FS. History–New 4-6-05, Amended 7-20-05, 2-6-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tasha Carter, Bureau Chief, Bureau of Compliance, Division of Workers' Compensation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

Section III Notices of Changes, Corrections and Withdrawals

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 MANAGEMENT SERVICES

Division of Retirement – Local Retirement

RULE NO.:	RULE TITLE:
60T-1.005	Review of Actuarial Reports and Actuarial Impact Statements

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 16, April 24, 2009 issue of the Florida Administrative Weekly.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Linda H. South, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2009

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 CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.:	RULE TITLE:
65A-1.900	Overpayment and Benefit Recovery

NOTICE OF PUBLIC HEARING

The Department of Children and Family Services announces an additional hearing regarding the above rule, as noticed in Vol. 35, No. 13, April 3, 2009, Florida Administrative Weekly.

DATE AND TIME: May 18, 2009, 1:30 p.m.

PLACE: 1317 Winwood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuation of hearing held 4/28/2009.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:	RULE TITLES:
69A-53.0052	Fire Sprinkler Requirements for Nursing Homes
69A-53.0053	State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program: Application Procedures

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 12, March 27, 2009 issue of the Florida Administrative Weekly.

Loan Guarantee Program: Application Procedures.

69A-53.0052 Fire Sprinkler Requirements for Nursing Homes.

- (1) No change.
- (2) The Division ~~may~~ shall grant a maximum of two one-year extensions to the final date of compliance only after establishing that the nursing home has been prevented from complying for reasons beyond its control. Such reasons may include:

- (a) through (c) No change.

- (3) No change.

69A-53.0053 State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program: Application Procedures.

No change.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-138.005	Examination of Insurers

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 40, October 3, 2008 Florida Administrative Weekly has been continued from April 28, 2009 to May 13, 2009.

Section IV Emergency Rules

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."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission received a petition from Progress Energy Florida, Inc., filed March 20, 2009, in Docket No. 090145-EI, seeking a waiver from subsections 25-6.0143(c), (d), and (f), Florida Administrative Code. The rule provides guidance regarding the expenses that can be charged to the Storm Damage Reserve. Comments on the petition should be filed with: Florida Public Service Commission Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice.

A copy of the petition may be obtained by contacting: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (<http://www.psc.state.fl.us/>). For additional

information, please contact Katherine Fleming Office of the General Counsel, at the above address or telephone (850)413-6218.

NOTICE IS HEREBY GIVEN THAT on April 15, 2009, the Florida Public Service Commission, received a petition for DOCKET NO. 090189-SU – Application for original certificate for a proposed wastewater system and request for bifurcation in Franklin County by Water Management Services, Inc.

In Re: Petition received from Water Management Services, Inc. (WMSI) seeking a waiver from portions of subsection 25-30.033(1), Florida Administrative Code (F.A.C.). The rule provides for information that a utility subject to the Commission's regulation must provide in its application for an original certificate of authorization and initial rates and charges. WMSI has requested that the Commission bifurcate the certification and rate setting portions of this proceeding, so that the rate setting portion will be reached only in the event that a certificate of authorization is granted. Accordingly, WMSI has requested a waiver of those portions of the rule which pertain to the utility's application for initial rates and charges, or paragraphs (k), (t), (u), (v), and (w) of subsection 25-30.033(1), F.A.C.

Comments on the petition should be filed with: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice. For additional information, please contact: Anna Williams, Office of the General Counsel, at the above address or telephone (850)413-6076.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on April 9, 2009, the South Florida Water Management District (District) has issued an order.

SFWMD Order No. 2009-100-DAO-ROW was issued to the Florida Department of Transportation (Application No. 07-1220-1M). The petition for waiver was received by the SFWMD on December 20, 2007. Notice of receipt of the petition requesting the waiver was published in the F.A.W., Vol. 34, No. 3, on January 18, 2008. No public comment was received. This Order provides a waiver of the District's criteria for the proposed replacement of the Krome Avenue Bridge crossing the C-6 Canal; Section 9, Township 52 South, Range 39 East, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of