

ORIGINAL

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MEMORANDUM

05 JAN -7 PM 1:59

January 7, 2005

COMMISSION  
CLERK

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (Gervasi) *JS*

RE: DOCKET NO. 050018-WU Initiation of deletion proceedings against Aloha Utilities, Inc. for failure to provide sufficient water service consistent with the reasonable and proper operation of the utility system in the public interest, in violation of section 367.111(2), Florida Statutes.

Please file the attached documentation in Docket No. 050018-WS.

DATE ORDER SENT TO CCA 1/7/05

RG  
Attachment

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC 1 + cover ltr.
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

00264 JAN-7 05

FPSC-COMMISSION CLERK

LEGAL NOTICE

INTENT TO AMEND ALOHA UTILITIES, INC.'S WATER CERTIFICATE NO. 136-W IN  
DOCKET NO. 050018-WU TO DELETE AREAS ENCOMPASSING TRINITY (SOUTH OF  
MITCHELL BOULEVARD AND EAST OF SEVEN SPRINGS BOULEVARD), RIVIERA  
ESTATES, VILLA DEL RIO, AND RIVERSIDE VILLAGE UNIT 4

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission of its intent to amend Aloha Utilities, Inc.'s Water Certificate No. 136-W to delete the areas encompassing Trinity (south of Mitchell Boulevard and east of Seven Springs Boulevard), Riviera Estates, Villa del Rio, and Riverside Village Unit 4 in Pasco County, Florida. This notice is issued pursuant to section 367.045(6), Florida Statutes. In accordance with section 367.161(2), Florida Statutes, the Commission may amend, suspend, or revoke any certificate of authorization issued by it upon finding that a utility has refused to comply with, or has willfully violated, any lawful rule or order of the Commission or any provision of Chapter 367, Florida Statutes. This proceeding is initiated because of Aloha Utilities, Inc.'s failure to provide water service to its customers in the Trinity (south of Mitchell Boulevard and east of Seven Springs Boulevard), Riviera Estates, Villa del Rio, and Riverside Village Unit 4 areas that is not less sufficient than is consistent with the reasonable and proper operation of the utility system in the public interest, in apparent violation of section 367.111(2), Florida Statutes.

Any objection to this proceeding by any person other than the utility must be made in writing and filed with the Director, Division of the Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0870 within thirty (30) days from the date of this notice. The objection must state the grounds for the objection with particularity, the docket number, and state whether a hearing is requested.

DOCUMENT NUMBER-DATE

00264 JAN-7 13

FPSC-COMMISSION CLERK

In re: Initiation of deletion proceedings against Aloha Utilities, Inc. for failure to provide sufficient water service consistent with the reasonable and proper operation of the utility system in the public interest, in violation of section 367.111(2), Florida Statutes.

DOCKET NO. 050018-WU

ISSUED: January 7, 2005

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the Commission's LEGAL NOTICE OF INTENT TO AMEND ALOHA UTILITIES, INC.'S WATER CERTIFICATE NO. 136-W TO DELETE AREAS ENCOMPASSING TRINITY (SOUTH OF MITCHELL BOULEVARD AND EAST OF SEVEN SPRINGS BOULEVARD), RIVIERA ESTATES, VILLA DEL RIO, AND RIVERSIDE VILLAGE UNIT 4, has been served by Certified Mail to F. Marshall Deterding, Esq. and John Wharton, Esq., ROSE, SUNDSTROM & BENTLEY, LLP, 2548 Blairstone Pines Drive, Tallahassee, FL 32301 and to Mr. Stephen G. Watford, Aloha Utilities, Inc., 6915 Perrine Ranch Road, New Port Richey, FL 34655-3904, and that a true and correct copy thereof has been furnished to the following by U.S. Mail this 7th day of January, 2005:

Mr. Harry Hawcroft  
1612 Boswell Avenue  
New Port Richey, FL 34655

John H. Gaul, Ph.D  
7633 Albacore Drive  
New Port Richey, FL 34655

Mr. Edward O. Wood  
1043 Daleside Lane  
New Port Richey, FL 34655

V. Abraham Kurien, M.D.  
1822 Orchardgrove Avenue  
New Port Richey, FL 34655

Office of the Attorney General  
Charlie Crist/Jack Shreve, Esqs.  
PL-01, The Capitol  
Tallahassee, FL 32399-1050

Charles J. Beck, Esq.  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400


CERTIFICATE OF SERVICE

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The Honorable Mike Fasano  
8217 Massachusetts Ave.  
New Port Richey, FL 34653

Southwest Florida Water Management District  
Margaret Lytle, Esq.  
2379 Broad St.  
Brooksville, FL 34604-6899

Mr. James (Sandy) Mitchell, Jr.  
5957 Riviera Lane  
New Port Richey, FL 34655-5679



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ROSANNE GERVASI, STAFF COUNSEL

FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
Telephone No.: (850) 413-6199  
Facsimile No.: (850) 413-6250