

MEMORANDUM

**ORIGINAL  
FILE COPY**

JANUARY 28, 1991

TO: CHAIRMAN THOMAS M. BEARD

FROM: DIVISION OF LEGAL SERVICES (VANDIVER, N. DAVIS, PIERSON) *R* *mad* *R*  
 DIVISION OF WATER AND SEWER (HILL) *GA*

RE: [REDACTED] - OBJECTION TO NOTICE BY BETMAR  
 UTILITIES, INC. FOR AMENDMENT TO CERTIFICATES NOS. 137-W  
 AND 98-S IN PASCO COUNTY

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On November 13, 1989, Betmar Utilities, Inc. (Betmar) filed an application for amendment to its water and wastewater certificates. Both Pasco County and the City of Zephyrhills filed timely objections to Betmar's application. Because the issues in this case were purely factual, on February 26, 1990, this case was referred to the Division of Administrative Hearings (DOAH).

During the course of this proceeding, the parties engaged in sporadic negotiations to settle the matter and the hearing officer granted several continuances in order to expedite such a resolution. According to Betmar's attorney, Betmar and Pasco County were apparently able to resolve their differences; however, Betmar was not able to come to terms with the City. The last date to respond to the hearing officer passed on November 1, 1990 and, on November 8, 1990, the hearing officer relinquished jurisdiction back to this Commission. The City and Betmar have still not reached a resolution of their differences.

ACK \_\_\_\_\_  
 AFA \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMU \_\_\_\_\_  
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 EAG \_\_\_\_\_  
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 OTH *Kay* \_\_\_\_\_

Since the resolution of this case still rests entirely on factual determinations, we recommend that it be referred back to DOAH.

CC: Division of Records and Reporting

DOCUMENT NUMBER-DATE

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PSC-RECORDS/REPORTING