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DIVISION OF WATER
WASTEWATER
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DIRECTOR
(904) 413-6900

ORIGINAL
FILE COPY

Public Service Commission

June 7, 1996

Mr. F. Marshall Deterding
ROSE, SUNDSTROM & BENTLEY
2548 Blairstone Pines Drive
Tallahassee, Florida 32301

Re: Docket No. 960576-WS, Application for amendment of Certificates Nos. 340-W and 297-S in Pasco County by Mad Hatter Utility, Inc.

Dear Mr. Deterding:

Staff has preliminarily reviewed the subject application and identified the following documents and information needed to process the application.

1. **Notice of application.** Rule 25-30.030(6), F.A.C., requires no sooner than 21 days before the application is filed and no later than 7 days after the application is filed, that notice be given, by regular mail or personal service, to each customer of the system to be acquired.

By means of an affidavit, please provide a copy of the notice given to the customers of the proposed territory. Include in the affidavit the date and means by which the notice was provided and a list of the names and addresses to whom the notice was given.

ACK _____
 AFA _____
 APP 3. _____
 CAF _____
 CMU _____
 CTR _____
 EAG _____
 LEG _____
 LIN _____
 OPC _____
 RCH _____
 SEC 1 _____
 WAS _____
 OTH _____

3. **Evidence of Ownership.** Rule 25-30.036(d), F.A.C., requires evidence that the utility own the land upon which the utility facilities that will serve the proposed territory are located or copy of an agreement, such as a 99-year lease, which provides for the continued use of the land. Exhibit B to the application contained copies of property tax receipts which are not acceptable evidence of ownership.

On May 13, 1996, the Commission received a supplement to Exhibit B which included several deeds intended to further reflect ownership of the property on which the utility's treatment facilities are located. Included with these deeds was a Quit-Claim Deed made in November of 1991 between J. Glen McDonnell and Mad Hatter Utility, Inc. Staff cannot accept a Quit-Claim Deed as evidence of ownership without Title Insurance or an Attorney's Opinion of Title. Please provide the needed support for the Quit-Claim Deed.

3. **Description of customers.** Rule 25-30.036(3)(m), F.A.C., requires a description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course clubhouse, commercial, etc. Please provide a supplemental exhibit to the application which lists, by type of customer, the current number of customers being served in the proposed territory and the expected total number at buildout. For example:

CUSTOMER TYPE	NUMBER CURRENTLY SERVING	NUMBER EXPECTED AT BUILDOUT
Single family homes	100	200
Duplex units	10	20
Multi-family units	300	300
Golf course clubhouse	0	1
Commercial offices	10	20
Industrial plants	0	1
Schools	1	1
Churches	0	0

Please be advised that staff is still reviewing the territory descriptions given in the legal notices and the proposed tariff sheets against the territory maps. It is quite possible that additional explanation, documentation or revision may be required after that review is complete. In the meantime, the documents and information requested in this letter should be received by the Commission on or before July 8, 1996. The original and at least five copies of the documentation should be sent directly to the:

**Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

Mr. F. Marshall Deterding
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If you have any questions regarding the documents or information requested by this letter, please feel free to contact me at 904/413-6686.

Sincerely,

Patricia Brady.

Patricia Brady
Regulatory Analyst III
Bureau of Policy Development
and Industry Structure

PLB:plb

cc: MAD HATTER UTILITY, INC.
1900 Land O'Lakes Boulevard
Suite 113361
Lutz, Florida 33549

Richard Redemann, FPSC-DWAW
Rosanne Capeless, FPSC-DLEG
Records and Reporting (2 copies)

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TELECOPIER (904) 656-4029

July 15, 1996

VIA HAND DELIVERY

RECEIVED

JUL 15 1996

Florida Public Service Commission
Division of Water and Wastewater

Pat Brady, Regulatory Analyst
Division of Water and Wastewater
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Mad Hatter Utilities, Inc.; Docket No. 960576-WS
Application for Amendment of Water and Wastewater Certificates
Our File No. 28023.06

Dear Pat:

In response to your recent letter in this case:

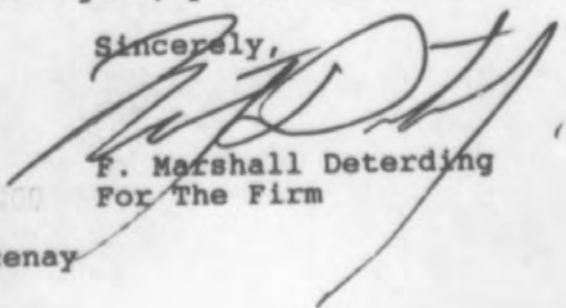
1. Mad Hatter did cause to be mailed on July 3, 1996, a copy of the notice to all its customers within these proposed areas.

2. Since the Utility only has a Quit-Claim Deed for the parcel mentioned in your letter, the Utility is currently pursuing title insurance and/or an attorney's opinion of title. After discussions with counsel to CoBank, the Utility has learned that an existing Mortgagee Title Insurance Policy is available which was issued as a result of the refinancing of the systems a few years ago. We are in the process of obtaining those documents to satisfy that requirement.

3. The Utility is also accumulating the description of customer information in the format which you requested. However, in order to do so, the Utility must review various development orders and other documents that are not currently within its possession for various developments and parcels of property within the proposed territory.

We hope to be able to provide you with this additional information within the next two weeks. We appreciate your patience in allowing us to put this information together. Should you have any questions in this regard, please let me know.

Sincerely,


F. Marshall Deterding
For The Firm

FMD/lts
cc: Mr. Larry DeLucenay