



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: December 26, 1996
TO: Division of Records & Reporting
FROM: Rosanne G. Capeless, Senior Attorney, Division Of Legal Services *raf*
RE: Docket No. 960576-WS - Application for amendment of Certificates Nos. 340-W and 297-S in Pasco County by Mad Hatter Utility, Inc.

Please file the attached letter, from F. Marshall Deterding, Esquire, dated December 27, 1996, in the above referenced docket.

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RGC/mw

cc: Division of Water and Wastewater (Brady, Redemann)

- ACK _____
- AFA _____
- APP _____
- CAT _____
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DOCUMENT NUMBER-DATE
 13792 DEC 30 88
 FPSC-RECORDS/REPORTING

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December 12, 1996

VIA FACSIMILE AND U.S. MAIL

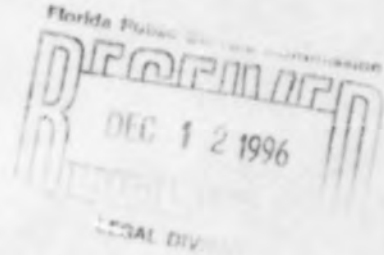
Marion Hale, Esquire
Johnson, Blakely, Pope, et al.
P.O. Box 1368
Clearwater, FL 34617

Re: Mad Hatter Utility, Inc.
Water and Wastewater Service to Mobile Home Park
Our File No. 28023.01

Dear Ms. Hale:

As you will recall, Mad Hatter Utility filed, with the Public Service Commission, earlier this year requesting inclusion of certain additional territories within its certificated water and wastewater service area in Pasco County. You filed an objection to that application on behalf of Pasco County. These additional areas surround the existing certificated service territory of the Utility. As you also recall, we are preparing to go to hearing on this issue next spring.

In the interim, one project in need of service has come to us at Mad Hatter and asked that we provide them with water and wastewater service immediately. This is an existing mobile home park currently know as Lake Linda Mobile Home Park (f/k/a Nixon Mobile Home Park). That park, located in the southwest quarter of Section 26, Township 26S, Range 18E, is currently receiving sewer service through septic tanks and water service through one shallow well. The current owner of that park has requested that Mad Hatter provide central water and wastewater service to that park. Mad Hatter currently has existing water and wastewater lines capable of providing service immediately adjacent to that park and the capacity to provide that service. The County's nearest facilities are approximately 1 1/2 miles away and there is an immediate need for service. The owner has contacted the Public Service Commission, who in turn has contacted us, requesting that something be done to enable him to receive service as the success of his redevelopment of this park is dependent upon immediate provision of central services.



Marion Hale, Esquire
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While this area is one of those requested by Mad Hatter in its expansion of certificated service territory, which application the County has protested before the PSC, we believe it is apparent that Mad Hatter is in the best position to provide water and wastewater services to this parcel in the long-run. However, the PSC process will not be concluded for at least six months and, as such, we are trying to accommodate this project by providing service in advance of that date if at all possible.

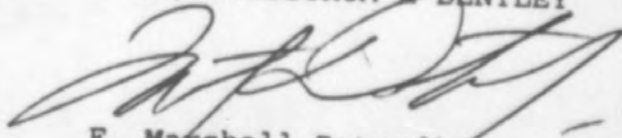
We request that you consider the County withdrawing its protest as to this one 1/4 section, or at least as to this one project, in recognition of the fact that there is an immediate need for service and that the County's facilities are not in close enough proximity to provide that service at this time, nor for some time to come. We believe that the provision of central service to this area is in the public interest and because of the obvious difference in the immediate ability to provide this service, we would request that Pasco County agree to withdraw its protest as to this parcel.

I would appreciate it if you would discuss this with your client and let us know if we can come to some agreement, short of full litigation, on this parcel which is obviously best served by Mad Hatter. Hopefully, we can agree to do what is in the public interest generally, especially where the relative ability to serve is so clear.

I look forward to hearing from you in this regard.

Sincerely,

ROSE, SUNDSTROM & BENTLEY



F. Marshall Deterding
For The Firm

FMD/lts

cc: Rosanne Capeless, Esquire
Mr. Larry DeLucenay