

ORIGINAL

MEMORANDUM

March 4, 1998

TO : DIVISION OF LEGAL SERVICES (OTTINOT)  
 DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF WATER AND WASTEWATER (REDEMANN)

RE : DOCKET NO. 971362-WU; APPLICATION FOR AMENDMENT OF  
 CERTIFICATE NO. 340-W IN PASCO COUNTY BY MAD HATTER  
 UTILITIES, INC.

*KIR BSR*

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Mad Hatter Utility, Inc. (Mad Hatter or utility), is a Class A utility located in south central Pasco County, Florida, which is in the Northern Tampa Bay Water-Use Caution Area, as designated by the Southwest Florida Water Management District. Mad Hatter owns and operates water and wastewater systems in three separate communities: Linda Lakes, Foxwood, and Turtle Lakes. According to its 1996 annual report, MHU serves approximately 2,013 water and 1,940 wastewater customers with combined annual operating revenues of \$1,361,504 and a combined net loss of \$77,418.

On October 16, 1997 the utility applied for a "quick take" amendment to Water Certificate No. 340-W in Pasco County, Florida pursuant to Rule 25-30.036(2), Florida Administrative Code. The application is in compliance with the governing statute, Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for amendment of certificate. The application contains a check in the amount of \$100 which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. The applicant has provided evidence, in the form of warranty deeds, that the utility owns the land upon which the utility's facilities are located as required by Rule 25-30.036(3)(d), Florida Administrative Code.

ACK \_\_\_\_\_  
 AFA \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMH \_\_\_\_\_  
 CTR \_\_\_\_\_  
 EA \_\_\_\_\_  
 LFF \_\_\_\_\_  
 LRF \_\_\_\_\_  
 O \_\_\_\_\_  
 P \_\_\_\_\_  
 SFA \_\_\_\_\_  
 WFA \_\_\_\_\_  
 CFA \_\_\_\_\_

Adequate service territory and a territory description have been provided as prescribed by Rule 25-30.036(3)(e), and (i), Florida Administrative Code. A description of the territory requested by the utility is appended to this memorandum as Attachment A. The utility has submitted an affidavit consistent with Section 367.045(2)(d), Florida Statutes, that it has tariffs and annual reports on file with the Commission. In addition, the application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. No objections to the application have been received and the time for such has expired. The local planning agency was provided notice of the application and did not file a protest to the amendment.

DOCUMENT NUMBER-DATE

02975 MAR-98

FPSO RECORDS SECTION

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The utility states that the new territory will not exceed a maximum of 25 ERC's at the time the territory is built out. No other utility is in the area, or is willing and/or capable of providing reasonably adequate service to the territory. The customer has demonstrated to the utility that service is necessary because a private well went dry.

Staff has contacted the Department of Environmental Protection and learned that there are no outstanding notices of violation issued for this system. Staff recommends the rates and charges approved by the Commission be applied to customers in the new service territory. The utility has filed revised tariff sheets incorporating the additional territory into its tariff and returned its certificate for entry reflecting the additional territory.

In accordance with this rule, a request for service expansion shall be considered approved if no protest is timely filed to the application. As stated earlier, no protests have been filed and the time for such has expired.

Based on the above information, staff believes it is in the public interest to acknowledge the quick take amendment application for Mad Hatter, to add the additional territory described in Attachment A to Water Certificate No. 340-W. An administrative order should be issued within 30 days acknowledging the amendment of territory.

If you have any questions, please contact me.

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cc: Division of Water and Wastewater (Crouch)  
Division of Records and Reporting (Security File)  
Division of Legal Services (Gervasi)

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ATTACHMENT A

MAD HATTER UTILITIES, INC.

WATER TERRITORY DESCRIPTION - PASCO COUNTY

SERVED FROM THE TURTLE LAKES/TWIN PALMS, AND THE  
HWY 54 WATER TREATMENT PLANTS

**Water Service to Mr. Rick O' Shaughnessy**

Township 26 South, Range 19 East

In Section 32

Parcel "A"

Beginning at a point 618.55 feet East (South 89°58'11" East, assumed) of the Northwest corner of the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 32, Township 26 South, Range 19 East, run thence South 61°13'06" East, 803.44 feet ± to a point on the West boundary of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 32; thence run North 00°01'34" West, 391.68 feet ± along said West boundary to the Northeast corner of said Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 32; thence run South 89°36'21" West, 704.02 feet ± along the North boundary of the South 1/2 of the Northwest 1/4 of the Southeast 1/4, to the Point of Beginning. All lying and being in Pasco County, Florida.

Parcel "B"

Beginning at a Point 618.55 feet East (South 89°58'11" East, assumed) of the Northwest corner of the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 32, Township 26 South, Range 19 East, run thence South 61°13'06" East, 803.44 feet ± to a point on the West boundary of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 32; thence run South 00°01'34" East, 267.87 feet ± along said West boundary to the Southeast corner of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 32; thence run South 89°53'58" West, 386.77 feet ± along the South boundary of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 32, to a point which is South 25°51'00" East, 728.26 feet ± from the Point of Beginning; thence North 25°51'00" West, 728.26 feet ± to the Point of Beginning. All lying and being in Pasco County, Florida.