

STATE OF FLORIDA



Commissioners:
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DIVISION OF WATER & WASTEWATER
CHARLES H. HILL
DIRECTOR
(850) 413-6900

Public Service Commission

July 27, 1998

Ms. Jane Bart
2100 Kings Hwy, #476
Port Charlotte, Fl 33980

Re: Dockets Nos. 980887-SU and 980888-SU; Application for Amendment of Certificate No. 497-S in Charlotte County by Rampart Utilities, Inc.

Dear Ms. Bart:

We received your letter on July 21, 1998, in which you indicate that there is an odor problem at the wastewater treatment plant; that you are concerned that the utility could not handle additional wastewater customers, that your rates have tripled; and that you object to the application. With respect to the odor and capacity issues, we have contacted the Department of Environmental Protection (DEP) in Ft. Myers. We spoke with Mr. Andy Barienbrock at the DEP, and he stated that the wastewater treatment plant is currently not under any enforcement action. He indicated that there was an odor problem previously, but the utility replaced the wastewater line that was causing the odor problem in mid 1997 and that there have been no odor complaints since that time. Also, the current wastewater treatment capacity is 310,000 gallons rated on a three month average daily basis. Our records indicate the average daily flow is 96,000 gallons per day. Therefore, the wastewater treatment plant should easily handle the additional flow from the Pilgrim United Church of Christ and the San Antonio Catholic Church. Mr. Barienbrock can be contacted at (941) 332-6975, ext. 117 should you have any further questions regarding the wastewater treatment plant.

With respect to your rates, the utility had a rate case in 1993 while they were under the jurisdiction of Charlotte County. From our records, the rates were approved by Docket No. 90-201-WS by the Charlotte County Board of County Commissioners on August 23, 1994. On November 17, 1996, we approved a price index and pass-through rate increase, which reflects a \$.03 increase per 1,000 gallons.

The Commission needs to know your intent regarding your objection to this extension of territory application. If you choose to pursue the objection, a hearing will be scheduled in which you must provide testimony or other evidence in support of your protest. Although the Commission allows individuals to represent themselves at hearing, you may wish to hire an attorney to represent you.

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Please advise our Legal Counsel, Ms. Samantha McRae, at (850) 413-6202 by August 19, 1998, if you intend to pursue the objection, and therefore, a hearing. After August 19, 1998, if a response from you is not received, we will move forward in processing this extension of territory application without a hearing.

Sincerely,


bill lowe
Assistant Director

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cc: Rampart Utilities, Inc. (Steffens)
Regulatory Consultants, Inc. (Guth)
Department of Environmental Protection (Barienbrock)
Division of Water and Wastewater (Redemann, Hill)
Division of Legal Services (McRae)
Division of Records and Reporting (Bayo, Security File)

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Mr. Theodore C. Steffens, Court-Appointed Receiver
Rampart Utilities, Inc.
400 Madison Drive, Suite #200
Sarasota, FL 34236

Ms. Nancy Guth
Regulatory Consultants, Inc.
401 Interstate Blvd.
Sarasota, Florida 34240

Mr. Andy Barienbrock
Department of Environmental Protection
P.O. Box 2549
Ft. Myers, FL 33902-2549