

Commissioners:  
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DIVISION OF WATER & WASTEWATER  
CHARLES H. HILL  
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# Public Service Commission

December 11, 1998

Mr. Mark Charneski  
FDEP, South District  
P.O. Box 2549  
Ft. Myers, FL 33902-2549

Re: Docket No. 980731-WS, Application for certificate to provide water and wastewater service in Charlotte County by Hunter Creek Utilities, LLC.

RO Water Treatment Plant Permit No. FL0042412  
RO Water Treatment Plant Facility ID No. PATS278436  
RO Concentrate Treatment and Disposal Permit No. I008-226268

Dear Mr. Charneski:

Due to the above referenced utility's current problems with radioactive contaminants, the Commission will need to give special consideration to the appropriate service area when it makes a determination on the utility's request for original water and wastewater certificates. At a later time, when the environmental issues have been resolved and there is evidence of need, the utility may file a petition to extend its service territory. For now, however, staff wants to ensure it has the most recent and accurate environmental information in its recommendation to the Commission on the petition for original certificates. For this reason, I am asking that you provide a response to the following questions and requests for documents.

Questions:

- 1. What is the expected maximum treatment capacity for the utility's water treatment plant after the utility's corrective plan is put into operation? Please explain any limiting factors.
- 2. Could you please provide a brief summary of the utility's radioactive contaminants problem including the utility's proposed solution and FDEP's assessment of the utility's options for future service should the plan be unsuccessful.
- 3. Are there any other unresolved issues with regard to the utility's water system and, if so, please summarize the problem(s) and stage of resolution.

ACK \_\_\_\_\_  
 AFA \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMI \_\_\_\_\_  
 CTS \_\_\_\_\_  
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4. Is it expected that the utility's RO Concentrate Treatment and Disposal permit will be reissued in April of 1999?

Requests for Documents:

1. Please provide a copy of the utility's construction permit for the RO Water Treatment Plant.
2. Please provide a copy of the utility's RO Concentrate Treatment and Disposal permit.
3. Please provide a copy of FDEP's warning letter to the utility regarding radioactive contaminants violation.
4. Please provide a copy of the utility's plan to correct its radioactive contaminants violation.
5. If available, please provide a copy of FDEP's response to the utility's plan.

We are expecting the utility to respond to staff's final request for information by January 8, 1999. Hopefully, we would then have your response so that a recommendation could be drafted soon thereafter. In your response, please include the above referenced docket number and title and send the original and 4 copies of the response to:

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

If you have any questions concerning the information requested, please don't hesitate to contact me at SUNCOM 293-6686. Thank you very much for your assistance in this matter.

Sincerely,



Patricia Brady  
Regulatory Analyst IV

cc: Division of Water and Wastewater (Redemann)  
Division of Legal Services (Ferguson)  
Division of Records and Reporting