



Public Service Commission

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

DATE: December 30, 1999
TO: Division of Records and Reporting
FROM: Stephanie Clapp, Division of Water and Wastewater @ *SM*
RE: Docket No. 980988-WS, Investigation into the retention of the certificated area of Mad Hatter Utility, Inc. located on Lake Thomas and School Road in Pasco County.

Please add the following to the docket file:

Letter from Carl Anderson, agent for Paul Pritchard, Trustee of Hallmark Land Trust, to Mad Hatter Utility, Inc., responding to October 22, 1999, letter from Mr. Deterding.

Please note that two copies are provided.

Thank you.

Attachments

cc: Division of Water and Wastewater (Messer, Redemann)
Division of Legal Services (VanLeuven)

AFA _____
 APP _____
 CAP _____
 CMU _____
 CTR _____
 EAG _____
 LEG _____
 MAS _____
 OPC _____
 RRR _____
 REC _____

DOCUMENT NUMBER-DATE

00145 JAN-58

FPSC-RECORDS/REPORTING

Hallmark Land Trust

813-949-6251
Fax 813-949-9658

Mr. Larry Delucenay, President
Mad Hatter Utility, Inc.
1900 Land O' Lakes Blvd.
Lutz, FL 33549

December 22, 1999

Via fax and certified mail

*Re: Application for Service to the Property Located
on School Road, Land O' Lakes, Florida*

RECEIVED

DEC 27 1999

Florida Public Service Commission
Division of Water and Wastewater

Dear Mr. Delucenay:

This is in response to the letter from your attorney, Mr. Deterding, dated October 22, 1999. In that letter Mr. Deterding proposed two options for obtaining utility services to the subject property: Obtaining of additional bulk wastewater capacity from the County or construction of an on-site sewage treatment facility. The second option, an on-site sewage treatment facility, is unacceptable for two reasons. First, the site does not have room for such a facility and for a field for disposal of the effluent. Nor do I believe you own any suitable property in the vicinity, as you once did. Secondly, we do not want a wastewater treatment plant in the vicinity of this development.

In regard to the first option, obtaining additional bulk wastewater capacity from the County, your attorney stated in his letter that Mad Hatter was making an inquiry of the County as to whether it would provide additional wastewater capacity. Please let me know the outcome of that inquiry. If the County will not provide additional capacity, then it is obvious that Mad Hatter will not be able to provide utilities to this property.

Section 1.20 of your tariff provides that application for service may be made initially "in writing by a letter announcing that intent." We made that inquiry in writing by our letter of September 28, 1999. Section 1.21 of your tariff provides "Company shall respond to all initial information requests from authorized representatives within thirty (30) days to inform applicant whether service can be rendered within a reasonable time period." The response from your lawyer did not satisfy this requirement. This is our second letter to inquire whether Mad Hatter can serve this property within a reasonable time period and to request rates and charges. I request your prompt answer. If Mad Hatter cannot provide

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evidence that it can serve this property in a reasonable time and at a reasonable cost, then this property should be released from the franchise.

Thank you for your cooperation and for your prompt response.

Sincerely yours,



Carl Anderson
Agent for Paul Pritchard, Trustee

c. Doug Bramlett
Assistant County Administrator for Utilities Services
Utilities Services Branch
Public Works/Utilities Bldg. S-205
7530 Little Road
New Port Richey, FL 34654

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Public Service Commission
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