

State of Florida



Public Service Commission

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

DATE: February 16, 2000
 TO: Division of Records and Reporting
 FROM: Stephanie Clapp, Division of Water and Wastewater *RBSMGN*
 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 January 6, 2000, 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 _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RPR _____
- SEC _____
- WAV _____
- OTH _____

DOCUMENT NUMBER-DATE

02264 FEB 18 8

FPSC-RECORDS/REPORTING

Hallmark Land Trust

813-949-6251
Fax 813-949-9658

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

January 17, 2000

Via fax and certified mail

*Re: Application for Service to 107 Acres located
on School Road, Land O' Lakes, Florida*

RECEIVED

JAN 20, 2000

Florida Public Service Commission
Division of Water and Wastewater

Dear Mr. Delucenay:

This is in reply to the letter from your attorney, F. Marshall Deterding, dated January 6, 2000. In my letter of December 22, 1999, I notified you that the site will not accommodate an on-site waste treatment plant and further pointed out that you have no available site in the area for disposal of the effluent. This means that in order to provide utility services to this property, you must obtain additional bulk wastewater capacity from the County. I requested, therefore, that you notify me whether Pasco County will provide Mad Hatter with additional bulk waste water capacity. Mr. Deterding's letter of December 22 made no attempt to answer that question, even though his previous letter (dated October 22) stated "Though it is not our responsibility under our Service Availability Policy, we have prepared an inquiry of the County concerning the availability of additional wastewater capacity to serve this area in accordance with our agreement for bulk wastewater service from Pasco County Utilities." Deloras Johnson was recently informed by Mr. Douglas Bramlet, Assistant County Administrator for Utilities Services, that the County had received no such inquiry from Mad Hatter.

You have been provided with a preliminary plot plan which shows 275 building lots. So you know where the property is, how many homes will be there and you know there is no possibility of an on-site plant. Can you provide utility services to this property within a reasonable time and at a reasonable cost? This is a simple question. And you are obligated to give me an answer. Mr. Deterding says he does not agree that you are obligated to "respond to any letter announcing intent" so I will quote for direct from your tariff, Section 1.21:

"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."

19235 U.S. Hwy 41 North • Lutz, Florida 33549

Please respond within ten days to let me know whether you can obtain additional bulk wastewater capacity from the County and can serve this property within a reasonable time, at a reasonable cost.

Thank you for your cooperation.

Sincerely yours,



Carl Anderson
Agent for Paul Pritchard, Trustee

c. Mr. 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

Ms. Billie Messer
Public Service Commission
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Tallahassee, FL 32339

Mr. David Smolker, Esq.
Brickleyer, Smolker and Bolves, P.A.
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Suite 200
Tampa, FL 33602

Mrs. Deloras Johnson
1520 Land O' Lakes Blvd.
Lutz, FL 33549