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Public Service Commission

July 26, 2001

Mr. Thomas Spencer, Esq.
19235 U.S. Highway 41 North
Lutz, Florida 33549

RE: Docket No. 990988-WS - Investigation into the retention of the certificated area of Mad Hatter Utility, Inc. located on Lake Thomas and School Road in Pasco County

Dear Mr. Spencer:

The purpose of this letter is to address the current status of this docket, which was initiated by Ms. Deloris Johnson's request that the Commission initiate action to delete your client's above referenced property from the certificated territory of Mad Hatter Utility, Inc. (MHU or Utility) After careful review of the file, I note that the last action taken by Commission staff was a letter addressed to you, dated January 17, 2001, in which staff attorney Tyler Van Leuven requested that your client complete an application for service from the utility. Mr. Van Leuven indicated that after completion of the application, if the utility failed to provide you with service as required by Florida Law, the Commission would address those issues at that time.

In the January 17, 2001 letter, Mr. Van Leuven notified you that if your client failed to complete the application for service and submit it to the utility by July 2, 2001, staff would take the necessary actions to close the docket. As of today's date, Commission staff have not been informed that your client has submitted the application to the utility, and therefore must assume that your client has not in fact done so. As explained in Mr. Van Leuven's letter, without completion of the application, staff does not believe proceeding with this docket is advisable, and will initiate the necessary actions to close this docket.

This matter is scheduled to be placed before the Commission on the September 4, 2001 Agenda Conference, and staff will be filing a Recommendation by August 23, 2001. You will receive a copy of this Recommendation by mail after it is filed, all interested persons will have the opportunity to address the Commission at the September 4, 2001 Agenda Conference, and the Commission will make a decision at that time.

Should you wish to provide me with any additional information that you would like staff to consider prior to drafting the Recommendation, I would ask that you provide it to me in writing no later than August 10, 2001. This could include a completed application, proof of a denial of service

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by the utility, an explanation of why a completed application has not been submitted, or any other information you believe relevant as to why the docket should not be closed.

If you have any questions, you may contact me at the address indicated on this letter, or by telephone at (850) 413-6076.

Sincerely,



Larry D. Harris
Senior Attorney

cc: F. Marshall Deterding, Esq.
Division of Commission Clerk and Administrative Services
Division of Regulatory Oversight (Clapp, Redemann, Messer)