

ORIGINAL

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May 24, 2002

Blanca S. Bayo, Director  
Division of Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
Betty Easley Bldg., Room 110  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Via Hand Delivery

RECEIVED - FPSC  
02 MAY 24 PM 2:20  
COMMISSION  
CLERK

Re: Docket No. 020413-SU  
Initiation of Show Cause Proceedings Against Aloha Utilities, Inc. for  
Failure to Charge Approved Service Availability Charges in Violation of  
Order No. PSC-01-0326-FOF-SU and Section 367.091, Fla. Stat., in  
Pasco County.

Dear Ms. Bayo:

Enclosed for filing in the above docket, on behalf of MHC Financing Limited  
Partnership d/b/a Country Place Village, are an original and fifteen copies of the  
following:

1. Notice of Appearance; and 05578-02
2. Notice of Filing. 05579-02

Please acknowledge receipt of the foregoing by stamping the enclosed extra  
copy of this letter and returning same to my attention. Thank you for your assistance.

Thank you.

Sincerely,

RUDEN, McCLOSKEY, SMITH,  
SCHUSTER & RUSSELL, P.A.

*Kathryn G.W. Cowdery*  
Kathryn G.W. Cowdery  
Attorney

Notice of Appearance  
DOCUMENT NUMBER-DATE  
05578 MAY 24 02  
FPSC-COMMISSION CLERK

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KGWC/l dv  
Enclosures

TAL:36991:1

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

Notice of Filing  
DOCUMENT NUMBER-DATE

05579 MAY 24 02

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

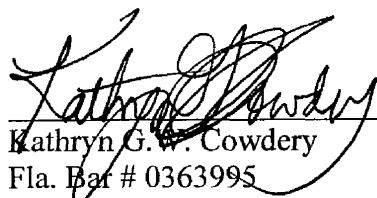
In re: Initiation of Show Cause )  
Proceedings Against Aloha Utilities, Inc. )  
for Failure to Charge Approved Service ) Docket No. 020413-SU  
Availability Charges in Violation of Order )  
No. PSC-01-0326-FOF-SU and Section )  
367.091, Fla. Stat., in Pasco County. )

**NOTICE OF FILING**

MHC Financing Limited Partnership d/b/a Country Place Village, ("MHC") by and through its undersigned attorney, hereby files for Staff consideration in this case the attached letter of April 22, 2002, from Aloha Utilities, Inc., to Mr. Wally Torres of MHC. This letter requests MHC to pay a backbilled amount of \$21,648.75 for wastewater service availability charges, as explained therein. MHC has not paid this amount and objects to payment of same.

DATED this 24th day of May 2002.

Respectfully submitted,

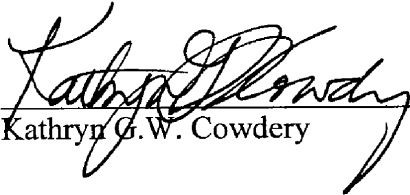


Kathryn G. W. Cowdery  
Fla. Bar # 0363995  
Ruden, McClosky, Smith, Schuster  
& Russell, P.A.  
215 S. Monroe Street, Suite 815  
Tallahassee, FL 32301  
(850) 412-2000

Attorneys for  
MHC Financing Limited Partnership d/b/a  
Country Place Village

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Filing has been furnished by U.S. Mail to Suzanne Brownless, Suzanne Brownless, P.A., 1975 Buford Boulevard, Tallahassee, FL 32308, and to Stephen Burgess, Office of Public Counsel, Claude Pepper Bldg., 111 W. Madison Street, Suite 812, Tallahassee, FL 32399-1400, and by Hand Delivery to Rosanne Gervasi, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Gunter Building, Room 370N, Tallahassee, FL 32399-0850, this 24th day of May 2002.

  
Kathryn G.W. Cowdery

# Aloha Utilities, Inc.

6915 Perrine Ranch Road  
New Port Richey, FL 34655  
(727) 372-0115 Fax (727) 372-2677

April 22, 2002

Mr. Wally Torres  
Manufactured Home Communities, Inc.  
28050 U.S. Hwy 19 N  
Clearwater, FL 33761

VIA CERTIFIED RETURN RECEIPT:  
7099-3400-0018-4330-7684

RE: Country Place Village Development-Wastewater Plant Capacity Charge

Dear Mr. Torres:

Effective May 23, 2001, Aloha Utilities, Inc. was authorized by the Florida Public Service Commission to increase its wastewater service availability charge from \$206.75 to \$1,650.00, a difference of \$1,443.25 per ERC. All connections from that day forward are required to be assessed the new fee. Unfortunately, through a mistake on the part of the Utility, several developers/builders were not assessed the additional fee, either as to their connections made since that time, or assessed for the increase for future connections which have been reserved. Your Company has connected 15 connections since May 23, 2001. As such, we are required by our tariff, Public Service Commission Orders, and by Florida law, to assess you at this increased rate. While the Utility mistakenly failed to charge you for this increase previously, we are authorized both under our Developer Agreement with you and under Public Service Commission Rules to back bill in the case of such a mistake.

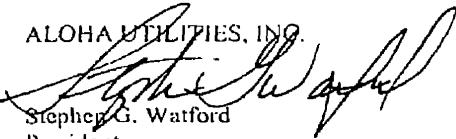
The total amount that is due to Aloha from your Company for prior connections is \$21,648.75. For reservation of capacity and connections not yet made, the additional amount owed is \$0.00 (0 connections X \$1,443.25 increased charge) per additional connection.

We apologize for this mistake and we will be glad to work with you on the method of repayment. However, we must receive all of these overdue monies for prior connections in order to comply with PSC requirements.

We need to hear from you shortly or we will have to consider alternative measures in order to collect these monies. If you have any questions, please let me know. Again, we appreciate your cooperation in resolving this matter quickly.

Sincerely,

ALOHA UTILITIES, INC.

  
Stephen G. Watford  
President

SGW/ck

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David Pecore now in  
WT  
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