

1                   BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
2                                   DOCKET NO. 021215-WS  
3                                   MAD HATTER UTILITY, INC.  
4                                   APPLICATION FOR AMENDMENT OF  
5                                   WATER AND WASTEWATER CERTIFICATE  
6                   NOS. 340-W AND 297-S TO ADD TERRITORY IN PASCO COUNTY,  
7                                   FLORIDA, BY MAD HATTER UTILITY, INC.

8                   **PRE-FILED DIRECT TESTIMONY OF FRANK MARINELLI**

9                   Q.   Please state your name and address.

10                   A.   My name is Frank Marinelli. My address is  
11   Eagle Lake Construction, 22823 Sonoma Lane, Lutz, Florida  
12   33549.

13                   Q.   By whom are you employed?

14                   A.   I am the managing partner of Eagle Creek  
15   Property Management, LLC.

16                   Q.   Are you developing the property that Mad Hatter  
17   seeks to add to its certificated territory?

18                   A.   Yes. We were developing a tract of property  
19   which is approximately three acres.

20                   Q.   Mad Hatter alleges that it has an agreement to  
21   provide service to your property. Is that accurate?

22                   A.   Yes. Larry DeLucenay told us that the property  
23   was within Mad Hatter's jurisdiction so we signed the  
24   agreement. We then learned that the property was not  
25   within Mad Hatter's territory and we redesigned the

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1 project to connect to Pasco County utilities.

2 Q. Would it impose an economic hardship on your  
3 business if the Public Service Commission takes the  
4 property away from Pasco County and gives it to Mad  
5 Hatter?

6 A. Yes. It would be a major monetary hardship for  
7 us. The project is underway and the site work will soon  
8 be completed. We are connecting the water and sewer  
9 service to Pasco County. It would cost us tens of  
10 thousands of dollars if not more to rip out the  
11 infrastructure and re-do the engineering and permitting  
12 to Mad Hatter Utility. This project was not in Mad  
13 Hatter Utility's territory when it began and thus Mad  
14 Hatter could not provide service to us.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and 15 copies were delivered by federal express to Bianco S. Bayo, Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399 and true copies were delivered by federal express to Jennifer Rodan, Esq., Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399, and F. Marshall Deterding, Rose Sundstrum & Bentley, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301, this 26<sup>th</sup> day of June, 2003.

JOHNSON, POPE, BOKOR,  
RUPPEL & BURNS, P.A.

By: 

MARION HALE  
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County