

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20250038-WS

Petition for an acquisition adjustment for  
a non-viable utility, by CSWR-Florida  
Utility Operating Company, LLC.

/ DOCKET NO. 20250043-WS

Petition for an acquisition adjustment for  
a non-viable utility, by CSWR-Florida  
Utility Operating Company, LLC.

/ Docket No. 20250047-WS

Petition for an acquisition adjustment for  
a non-viable utility, by CSWR-Florida  
Utility Operating Company, LLC.

/ Docket No. 20250052-WS

Application for increase in water and  
wastewater rates in Brevard, Citrus, Duval,  
Highlands, Marion, and Volusia Counties by  
CSWR-Florida Utility Operating Company.

PROCEEDINGS: COMMISSION CONFERENCE AGENDA  
ITEM NO. 2

COMMISSIONERS  
PARTICIPATING: CHAIRMAN MIKE LA ROSA  
COMMISSIONER ART GRAHAM  
COMMISSIONER GARY F. CLARK  
COMMISSIONER ANDREW GILES FAY  
COMMISSIONER GABRIELLA PASSIDOMO SMITH

DATE: Tuesday, June 3, 2025

1 PLACE: Betty Easley Conference Center  
Room 148  
2 4075 Esplanade Way  
Tallahassee, Florida

3  
4 REPORTED BY: DEBRA R. KRICK  
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Public in and for the State  
5 of Florida at Large

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1 P R O C E E D I N G S

2 CHAIRMAN LA ROSA: All right, Commissioners,  
3 we have Item No. 2 before us and I will go ahead  
4 and recognize Mr. Dose. You can start us off with  
5 a summary.

6 MR. DOSE: Thank you. Good morning, Chairman  
7 and Commissioners. Daniel Dose on behalf of the  
8 Office of General Counsel.

9 Item 2 is staff's recommendation on OPC's  
10 motion to dismiss CSWR's request for acquisition  
11 adjustments with prejudice, alternative motion for  
12 summary final organization and motion to hold  
13 CSWR's rate case in abeyance.

14 Staff recommends that the Commission grant  
15 OPC's motion to dismiss. However, the motion  
16 should not be granted with prejudice. If the  
17 Commission approves staff's recommendation to grant  
18 OPC's motion to dismiss, then OPC's alternative  
19 motion for summary final order would become moot.  
20 If however, the Commission denies OPC's motion to  
21 dismiss, staff recommends that the Commission deny  
22 OPC's motion for summary final order. If the  
23 Commission approves staff's recommendation to grant  
24 OPC's motion to dismiss, then OPC's request to hold  
25 CSWR's rate case in abeyance is moot. If, however,

1           the Commission denies OPC's motion to dismiss, then  
2           OPC's motion to dismiss -- then OPC's motion for  
3           abeyance should be denied.

4           CSWR has requested oral argument. Counsel for  
5           CSWR and OPC are present to answer questions.  
6           Staff is available for any questions as well.

7           Thank you.

8           CHAIRMAN LA ROSA: Great. Thank you.

9           Commissioners, are there any questions or  
10          discussion, or maybe I should state it this way.  
11          Let's take each issue up individually as you see  
12          the parties have approached and have requested oral  
13          arguments, is there opposition to allow the oral  
14          arguments?

15          Seeing none. Let's go ahead and hear from the  
16          matters. If we could keep it to five minutes. I  
17          am sure there will be questions.

18          Let's start with CSWR.

19          MS. CLARK: Can we split the difference? I  
20          think I got it down to seven.

21          CHAIRMAN LA ROSA: Okay. Let's have seven  
22          minutes. Let's hear the seven-minute version.

23          MS. CLARK: Before that, Mr. Chairman, I would  
24          like to pass out an -- owe well, pass out a  
25          document, and what you will see on the document is

1           it this is exhibits from the petition that we  
2           filed.

3           CHAIRMAN LA ROSA:   Okay.

4           MS. CLARK:   And then listed on the front is  
5           the listing of significant changed facts that was  
6           also in the petition.

7           CHAIRMAN LA ROSA:   Is there enough copies  
8           for --

9           MS. CLARK:   I have enough -- I have 10 copies.  
10          I couldn't carry any more.   But it is, it can be  
11          looked on-line --

12          CHAIRMAN LA ROSA:   Okay.

13          MS. CLARK:   -- the exhibits are attached to  
14          our petition, and the listing is in our response to  
15          Public Counsel's motion.

16          CHAIRMAN LA ROSA:   Yeah, I am just going to  
17          run that by staff.   Staff, is this adequate?   I am  
18          not asking for context, I just am asking to --

19          MS. CRAWFORD:   If I follow correctly, these  
20          are documents that are largely already in the  
21          docket file --

22          CHAIRMAN LA ROSA:   Okay.

23          MS. CRAWFORD:   -- so I --

24          MS. CLARK:   That's correct.

25          CHAIRMAN LA ROSA:   Yep.   All right.   You may

1           continue. Thank you.

2           MS. CLARK: Thank you, Mr. Chairman and  
3           Commissioners. I am Susan Clark with the Radey Law  
4           Firm, and with me today is Mr. Josiah Cox, who is  
5           President and CEO of Central States Water  
6           Resources.

7           We support the staff's recommendation with  
8           regard to denying Public Counsel's alternative  
9           motion for summary judgment and the motion to hold  
10          the rate case in abeyance. However, we disagree  
11          with staff's recommendation on the motion to  
12          dismiss. The motion to dismiss should be denied in  
13          its entirety.

14          The staff's recommendation with regard to the  
15          motion to dismiss is in error regarding the issue  
16          of changed circumstances and public interest. In  
17          fact, our petitions do show that circumstances have  
18          changed since the Commission's decision denying the  
19          adjustments in each of these cases. The petitions  
20          further make the case that it is the public  
21          interest to grant acquisition adjustments.

22          Commissioners we now know what we did not know  
23          at the time of the transfers, and at the time of  
24          each transfer, we requested that a decision on the  
25          adjustment be deferred to the rate case. As we

1       said at that time, CSWR would have to own and  
2       operate that system to really be able to identify  
3       problems with the system. That has been the  
4       reality.

5               We now know the extent of problems, and as a  
6       result of the new rule, we now know the types of  
7       information that you all want to justify an  
8       acquisition adjustment.

9               The document I passed out are, in fact,  
10       exhibits that we attached to our petition, and I  
11       would like you -- to draw your attention to the  
12       number one tab, which is Exhibit 13 attached to our  
13       petition. As you can see, the plant was quite  
14       literally falling apart, so I invite you to look at  
15       those.

16              The changed circumstances and public interest  
17       favors for you to consider this matter on the  
18       merits, not through a motion to dismiss. The rule  
19       was revised to encourage acquisitions and  
20       consolidations of systems, especially those in need  
21       of rehabilitation, like the systems in these three  
22       cases.

23              Customers of these troubled systems that are  
24       in financial distress and unable to provide the  
25       service needed need to be acquired by companies

1       like CSWR. Hearing these cases and granting the  
2       adjustment when the standards are met furthers that  
3       public interest.

4               Commissioners, we are not asking for a  
5       reconsideration or a do-over of the past denials.  
6       Administrative finality relates to agencies trying  
7       to revisit past decisions. It does not prohibit  
8       any applicant or petitioner from applying for a  
9       license, permit or acquisition adjustment just  
10      because it was denied once. In fact, this  
11      commission has recognized this principle in the  
12      past when you allowed Public Counsel to raise the  
13      issue of a negative adjustment in cases subsequent  
14      to decisions of not imposing a negative adjustment.  
15      Just like Public Counsel has done in the past, we  
16      are asking for a decision under the new rule on the  
17      facts as they are today.

18             A key element of administrative finality is  
19      reliance. If an agency makes a decision, and then  
20      someone takes an action in reliance on that  
21      decision, it would be unfair to that person to go  
22      back and change its mind. Contrary to staff's  
23      assertion at page 10, no action has been taken in  
24      reliance of the denials of the positive acquisition  
25      adjustment. Customers continue to pay the same



1 rates after the denial as they did before. This is  
2 the same thing that would have happened if a  
3 positive acquisition adjustment had been given.  
4 That is the opposite of an action in reliance.  
5 Nothing changed.

6 It would be fundamentally unfair to deny CSWR  
7 the opportunity to present the Commission with the  
8 considerable body of evidence it has accumulated to  
9 support its current request, especially given the  
10 fact that you allowed Public Counsel to do the same  
11 thing in the past.

12 Granting CSWR's request based on a new rule,  
13 which, Commissioners, for those of you who went to  
14 law school, it is a procedural rule, not a  
15 substantive rule, which makes the principle of  
16 retroactive different.

17 The new version of the rule allows petitions  
18 to be filed within three years, which we have done.  
19 The rule recognizes the facts relating to the  
20 condition of the plant and the impact on customers  
21 take time to fully develop and may change due to  
22 the transfer. And the Florida Supreme Court has  
23 stated that a statute or rule, quote, does not  
24 operate retrospectively merely because it is  
25 applied to a case arising from conduct antedating

1       the statute's enactment, and that's Love versus  
2       State case.

3               The current Commissioners do not attach new  
4       consequences to a completed event, but rather,  
5       apply the current procedural rule to the petitions  
6       properly brought before you. The new version of  
7       the acquisition adjustment rule altered the  
8       procedure and standards for evaluating the addition  
9       of an adjustment, which is -- the rate base  
10      adjustment, which is a component of rate setting.

11             The new version of the rule permits the filing  
12      within three years, provides the means by which a  
13      request is made and that is the petition, and the  
14      method by which you all review that petition.

15             In conclusion, the Commission should deny the  
16      motion to dismiss on the same basis staff  
17      recommended denial of the alternative motion for  
18      summary final order. Your staff acknowledged that  
19      the petition asserted changed circumstances that  
20      warrant consideration of a positive adjustment.  
21      And as such, my quote, a material fact exists such  
22      that a summary final order is inappropriate. By  
23      the same token, the motion to dismiss is  
24      inappropriate, because the standard of review for a  
25      motion to dismiss is that all facts alleged must be

1 taken as true.

2 Commissioners, we ask that you deny all the  
3 motions and set the matter for hearing. Thank you.

4 CHAIRMAN LA ROSA: Thank you.

5 Office of Public Counsel.

6 MR. WATROUS: Good commoner, Commissioners.

7 My name is Austin Watrous, and I am appearing on  
8 behalf of the Florida Office of Public Counsel.

9 Under Chapter 350, Florida Statutes, the  
10 Public Counsel can take any position he or she  
11 deems to be in the public interest, whether  
12 consistent or inconsistent with previous decisions.  
13 With this legislative grant of authority, Public  
14 Counsel filed an omnibus motion consisting of a  
15 motion to dismiss with prejudice, or, in the  
16 alternative, motion for summary final order and to  
17 hold Docket No. 20250052 in abeyance.

18 The Commission previously denied CSWR's  
19 request for these acquisition adjustments on these  
20 same exact systems in 2022. The 2022 request went  
21 through a PAA process. There were consummating  
22 orders issued, and no party had protested or  
23 appealed this commission's decision.

24 As set forth in OPC's motion to dismiss, we  
25 believe administrative finality has attached to the

1 prior decisions, and no circumstances exist to  
2 warrant disturbing the final decisions of this  
3 commission. In the alternative, OPC requests the  
4 Commission to grant OPC's motion for summary final  
5 order. The standard for motion of summary final  
6 order is that any party may move for this motion  
7 whenever there is no genuine issue as to any  
8 material fact.

9 As previously mentioned, these prior decisions  
10 went through the PAA process, consummating orders  
11 were issued, and there was no protest or appeal by  
12 any of the parties. As staff has noted, there are  
13 no material facts or changes. We believe that the  
14 doctrine of administrative finality has and this  
15 commission should grant the motion to dismiss.

16 Thank you.

17 CHAIRMAN LA ROSA: Thank you.

18 Commissioners, questions of the parties?

19 Commissioner Clark.

20 COMMISSIONER CLARK: I think I have a couple  
21 of questions, and they may be more for staff. I  
22 realize this is a very technical legal argument, in  
23 my opinion, and it gets beyond my ability, but I  
24 don't want to undermine the whole administrative  
25 finality thing. I understand that. But I also

1       have a belief that when something is in the public  
2       interest, it's something that should be considered.

3           I supported this when it came up in 2023. I  
4       felt, at that time, it was in the public interest  
5       that we at least look at a positive acquisition  
6       adjustment, and my opinion has not changed. I  
7       think there was pretty clear evidence there was  
8       some economies of scale. There was certainly some  
9       efficiency, and there were definitely customer  
10      benefits that were associated with this  
11      acquisition.

12           I think the whole intent of our rule change  
13      was for us to encourage some of these bigger, more  
14      financially able companies to take a look at  
15      systems that were in distress, and to be able to  
16      provide some incentives for these companies to  
17      become consolidated and to reach those efficiencies  
18      and economies of scale. So I think there was a lot  
19      of merit.

20           Now, I am not sure about how we proceed. My  
21      question for staff is that if we were to deny the  
22      motion to dismiss and establish this and set the  
23      hearing, is it at that point where the public  
24      interest is determined, or do we have to determine  
25      the public interest prior to making the denial?

1           MR. DOSE: The public interest would have to  
2           be determined prior to making the denial to upset  
3           administrative finality.

4           COMMISSIONER CLARK: That's if you believe  
5           that it upsets administrative finality, would that  
6           be a fair statement?

7           MS. CRAWFORD: That's correct. Jennifer  
8           Crawford for legal.

9           One of the things I think that's important to  
10          be clear on, acquisition adjustments are tied to a  
11          transfer. The transfer at issue for these three  
12          applications, as you mentioned, occurred in 2023.  
13          Acquisition adjustments were requested at that time  
14          and were denied at that time.

15          Unlike -- I have to disagree with Ms. Clark.  
16          I do not believe the Commission has a history or a  
17          policy of allowing a second look at acquisition  
18          adjustments. The only times it has done so is when  
19          there has been a showing to -- sufficient to  
20          disturb administrative finality. So when you look  
21          at the Jasmine Lakes, this is page 11 of the staff  
22          rec, the Commission allowed a second look at  
23          acquisition adjustments based on a public interest  
24          showing. And for Wedgefield, the Commission  
25          allowed a second look at acquisition adjustments

1           because a change of circumstances was demonstrated.

2           I think in order to permit a second go at  
3           acquisition adjustments for these prior transfers,  
4           yes, I do think you have to address administrative  
5           finality. That's the staff position.

6           COMMISSIONER CLARK: Would it be fair for us  
7           to explore this with Mr. Cox today at this level as  
8           to what is the intent if they do not get positive  
9           acquisition adjustments?

10          MS. CRAWFORD: That's certainly a fair  
11          question for the company.

12          COMMISSIONER CLARK: Then I will pose that to  
13          Mr. Cox. I mean, I realize that the investments  
14          that you are proposing to make in these utilities  
15          is going to be substantial. What do you see as  
16          your long-term strategy if you do not -- you are  
17          not able to get a positive acquisition adjustment?

18          MR. COX: Yeah, and I appreciate,  
19          Commissioner, the question.

20          I guess I would start with, you know,  
21          obviously I am not an attorney either, and I think  
22          the facts of this case as originally presented, you  
23          know, we obviously disagreed about the history of  
24          noncompliance, which we presented very clearly.  
25          But I think in terms of material facts that have

1       changed, since we have taken over those systems,  
2       what we said was true about them, about the  
3       condition of the infrastructure, is proven to be  
4       true.

5               We had a -- in the North Peninsula system that  
6       has, you know, five years administrative orders,  
7       warnings, all that, we had a concrete wall fail. I  
8       mean, it's completely collapsed from the lack of  
9       reinvestment stabilization for years and years.

10              In the Sunshine system, we had one of the  
11       water tanks explode, right. So think about how bad  
12       that is, one of the first times we have ever seen  
13       that in the entire country. And that just pointed  
14       to 20 years of no investment in these systems, and  
15       the walls were worn thin. We realized that the  
16       previous owner was scrapping old tanks and bolting,  
17       you know, welded, you know, pieces on. All these  
18       systems, I mean, millions of dollars of negative,  
19       you know, property plant and equipment values. So  
20       all the things point to what you all were going for  
21       in the rulemaking we did before.

22              I mean, one of the reasons why we needed three  
23       years is because we knew these situations existed,  
24       and unfortunately -- and I understand for OPC and  
25       the public staff, you know, they are dealing with



1        what, you know, electric, gas, you know, they  
2        affect way more customers than water and sewer.  
3        You know, one of the things we joke about all the  
4        time, water and sewer is kind of the wicked  
5        redheaded stepchild in the regulated world, because  
6        there is so few of us comparatively.

7                But I think that when you hear things, like,  
8        hey, a wastewater plant was violating its, you  
9        know, fecal coliform limits. What that means is  
10       pathogens are going into the drinking water  
11       aquifers, or going into the surrounding, you know,  
12       water bodies, and those are the things that we  
13       observed.

14               And catastrophic failure, I think, absolutely  
15       proves that these systems warranted, you know,  
16       especially under the new rule, a look at, you know,  
17       we deserve a positive acquisition adjustment.

18               In terms of your question about the business  
19       model. You know, we have said this over and over  
20       again. These are -- you know, all these  
21       transactions are done at arm's-length. You know,  
22       these systems, even though they are not reinvesting  
23       any money, they are producing income for the  
24       owners. I mean, you have got a president who is  
25       making money, his wife is the secretary, his son is

1 driving a truck, like, they are not going to give  
2 them away for zero dollars, right. And these  
3 systems radically needed new owners and new  
4 investment, and we have started the reinvestment  
5 process.

6 But I would go to your point, if we can't get  
7 some recognition of these acquisition adjustments,  
8 we can't keep investing in the state, because the  
9 state -- this is the owners that we need to buy  
10 these from. Now, we are using fair market value in  
11 other dockets, so there is other mechanisms, but  
12 this is really key for us, I mean, and I think that  
13 we have proven -- I mean, we have given you a  
14 thousand pages in, you know, in our -- in this  
15 docket of evidence, right, stuff that we did not  
16 have before, that was not considered before. So I  
17 think the record, if we are allowed to show the  
18 record, is very clear, that these systems were in  
19 complete distress. They were failed.

20 And I believe the reason why you change the  
21 rule is because you had a rule that was not --  
22 never got used in 20 years, right. So these  
23 systems were rotting in the ground. You had, you  
24 know, a process, procedure that did not work, and  
25 now you proposed something that does work, and this

1 is definitely in the public interest.

2 If we weren't there every single one of those  
3 utilities, we have done a massive replacement, a  
4 massive emergency order, so we have taken tanks  
5 off-line in all of these and had to put emergency  
6 tanks in place. We had to do, you know, emergency  
7 triage repairs to keep things running, especially  
8 storm events. So if we had not acquired these  
9 systems, there would have been long periods of  
10 cessation of service, basic provision of service to  
11 these customers. So I absolutely believe it is in  
12 the public interest in order to allow us to buy  
13 these systems and recover some part, at least argue  
14 to recover some part of this acquisition premium.  
15 That's all we are looking for. Give us our chance  
16 to present the facts.

17 COMMISSIONER CLARK: Mr. Chairman, I would  
18 conclude with that, just a summary of part of what  
19 Mr. Cox said, you know, what I am requesting is us  
20 to have the opportunity to look at it. There is no  
21 decision to be made about the amount of an  
22 acquisition adjustment and judgment, or if they are  
23 going to get one or not. It's just to allow it to  
24 go to hearing for us to make those determines.

25 CHAIRMAN LA ROSA: Yeah, and I don't disagree,

1           frankly. I think with the motion -- with the  
2           spirit in which we are trying to, you know, attract  
3           those investments into these type of systems, I  
4           think this is, you know, this is certainly an  
5           example of the public interest, because I think we  
6           need to understand more, and agree to your point,  
7           is that I think the decision today is just do we  
8           move forward and do we need to see more? My answer  
9           is I think I need to see more and provide -- I  
10          appreciate, you know, what you are providing, and I  
11          have read through, you know, a good portion of  
12          this, but I still have questions, right, and I want  
13          to see what else, you know, can be offered. So I  
14          tend to agree with you, Commissioner Clark.

15               MS. CLARK: I just want to address the notion  
16          of when the public interest test to be  
17          demonstrated. I don't think it's correct that it  
18          has to be shown here before the motion to dismiss.  
19          It is -- in fact, if you look in the Wedgefield  
20          case, the motions were denied to allow OPC the  
21          opportunity to present evidence to support the  
22          change of the decision, which included finding on  
23          the public interest, and that was found after the  
24          hearing.

25               Furthermore, the argument of Public Counsel is

1           because they are Public Counsel, they can raise the  
2           issue at any time subsequently, no matter if the  
3           utility had, in fact, relied on not getting a  
4           negative acquisition adjustment.

5           It's a mystery to me why you would allow one  
6           party, and under the same circumstances you don't  
7           allow the other party, at least the opportunity to  
8           bring the evidence for you to hear. And that's why  
9           we are asking for the motion to dismiss be denied.

10          MS. CRAWFORD: May I speak about that, please?

11          CHAIRMAN LA ROSA: Yes.

12          MS. CRAWFORD: Or does Public Counsel wish to  
13          speak to it first?

14          MR. WATROUS: I will defer to staff.

15          MS. CRAWFORD: Okay. I disagree, again, with  
16          the characterization that the Commission is picking  
17          and choosing parties somehow. We are agnostic to  
18          who is asking to disturb a prior decision. Whoever  
19          it is who is asking to revisit, to change a prior  
20          ruling of the Commission is still faced with the  
21          question of administrative finality.

22          And in the Wedgefield case, OPC was allowed to  
23          go forward at hearing to argue for a negative  
24          acquisition adjustment. We will just acknowledge  
25          that case was ultimately resolved through

1 settlement, but allowing OPC to go forward was  
2 based on the opportunity to demonstrate change of  
3 circumstances.

4 In order to get there, you have to make that  
5 preliminary lift. And I disagree that we defer the  
6 call as to public interest until after you have  
7 gone through the applications. I think you need to  
8 determine today what the public interest is in  
9 disturbing the prior decision.

10 Ms. Clark, in her opening comments, said the  
11 public interest was served by granting the AAs, the  
12 acquisition adjustments. We have heard from Mr.  
13 Cox that the public interest seems to be  
14 encouraging systems to purchase troubled systems.  
15 We have that policy in place. We changed the rule  
16 to ensure that policy going forward is  
17 well-founded, but that's for systems that are  
18 transferred from the time of the new rule's effect  
19 forward. The rule does not allow you a retroactive  
20 application to these prior transfers that have been  
21 closed, that were decided by the Commission, and a  
22 positive acquisition adjustment was asked for at  
23 that time and denied.

24 CHAIRMAN LA ROSA: Have the changes -- have  
25 the circumstances not changed, though? I mean, I

1       hear that, and I understand what he said, and I  
2       make those connections, but if I am hearing  
3       correctly, some of the things that were said today,  
4       some of the things that are in staff's -- reference  
5       to staff's recommendation, some of the things that  
6       are here in this exhibit, are circumstantial  
7       changes that the company did not know until  
8       after-the-fact.

9               MS. CRAWFORD: If the Commission decides that  
10       is sufficient, then, yes, that would be a change of  
11       circumstances. In staff minds, Mr. Cox said what  
12       we said then, meaning back in 2023, has been proven  
13       to be true.

14              The poor condition of the plants was known at  
15       that time. That's why they asked for a positive  
16       acquisition adjustment at that time. What we have  
17       now is more detail, certainly. We have some more  
18       finality about costs, but the circumstances are  
19       just as they were two and three years ago. What we  
20       have is more detail. We have the costs. So the  
21       circumstances, in staff's mind, have not changed.

22              CHAIRMAN LA ROSA: All right. Mr. Cox.

23              MR. COX: So I would beg to differ. I would  
24       say two things. One, both staff and the Office of  
25       Public Counsel both, you know, on the record, said

1       these systems were not distressed. So the facts  
2       presented to this commission were, in fact, you  
3       know had particularly changed OPC, where I said,  
4       hey, how about the history of administrative orders  
5       that these systems have been under. And their  
6       response was, oh, all the small utilities are under  
7       administrative orders, which is a terrible low bar  
8       that all the previous owners were held to. But  
9       beyond that, yes, it's worse than what we thought.

10       So it is correct, all the circumstances that  
11       we brought and were denied on, you know, turned out  
12       to be true, but actually it's materially worse. So  
13       that's what we are saying. When we have  
14       catastrophic failure in these systems, all three of  
15       the systems had to be emergency, like contingency,  
16       you know, to kept running, yes, it's materially  
17       different. I mean, I had a tank explode. I had a  
18       wall collapse. I had wastewater go into a  
19       surrounding, you know, water body because of a  
20       collapse, you know, structural collapse. You know,  
21       we had to tank we had to take off-line altogether,  
22       and all of the things point to the public interest,  
23       like, I mean, from our perspective -- obviously, I  
24       am biased. I think we are doing a great job with  
25       these really bad systems that have a track record



1           of that. If we weren't there, what would have  
2           happened?

3           It's exactly what as I said before. They were  
4           going to discontinuance of the basic provision of  
5           service. So, yes, I think it has changed. It is  
6           proven, everything we said before has been proven,  
7           but there is more, and it's worse than we thought.

8           CHAIRMAN LA ROSA: Office of Public Counsel.

9           MR. REHWINKEL: Thank you, Mr. Chairman and  
10          Commissioners. Charles Rehwinkel, Deputy Public  
11          Counsel.

12          The acquisition rule, whether it's today or  
13          the prior one, has always stood for whether an  
14          incentive -- and I think I heard it from the  
15          Commission today -- an incentive needs to be given  
16          for a better financed, better equipped entity to  
17          take over a struggling system.

18          Back in 2022-'23, whenever these transactions  
19          occurred -- were brought to your attention, the  
20          company asked, A, for you to grant them the  
21          acquisition adjustment, and, B, for you to defer  
22          ruling until a later time. They were denied both  
23          of those. As Mr. Watrous pointed out, the orders  
24          went final. But something really important that I  
25          need to make clear on the record occurred. All of

1           these systems were closed. They closed on them and  
2           bought them. The incentive can't be put in a time  
3           machine and sent back before and given to them.  
4           That incentive opportunity is gone.

5           Whether they do things for other systems in  
6           the state down the road has nothing to do with  
7           what's before you today, which is these systems  
8           here. You have a new rule, and as Ms. Crawford  
9           said, that's going to be applied prospectively.  
10          But as a matter of law and fact, you cannot go back  
11          in time and grant an incentive.

12          They had the orders before them, and I believe  
13          the contracts allowed them to get out of the sale  
14          if you did not grant the acquisition adjustment.  
15          They went ahead and closed. I don't see how you  
16          can revisit this. The public interest behind  
17          incentives is gone.

18                 CHAIRMAN LA ROSA: Commissioner Smith.

19                 MS. CLARK: May I?

20                 CHAIRMAN LA ROSA: Go ahead, Ms. Clark.

21                 MS. CLARK: I think that's wrong. I think  
22                 there is a need to have the incentive out there to  
23                 encourage more consolidation of these systems, and  
24                 you have done that through passing this rule to say  
25                 to the industry, if you meet these standards, we

1           are going to look at a positive acquisition  
2           adjustment.

3           It is providing an incentive for companies  
4           like CSWR to continue to come in and help you with  
5           getting these systems to be right, by consolidating  
6           them and providing rehabilitative service and the  
7           financial wherewithal to do this. So you don't  
8           look just at the individual case. You look at the  
9           overall public interest in carrying out your policy  
10          through applying it in this case, which does have  
11          changed circumstances, and your rule is not being  
12          applied retroactively. It's saying, here are the  
13          facts now, and we are going to apply the rule as it  
14          exists now.

15          And contrary to what your staff has said, that  
16          is not a prohibited retroactive application of the  
17          rule. And I would cite you to the Love versus  
18          State decision, and also point out that the cases  
19          cited by your staff, the first one found that the  
20          principle of retroactive application did not apply  
21          because it was a procedural rule. That's what the  
22          law is. It makes a distinction between a  
23          procedural change in the law, which is what this  
24          is.

25          You have said, if you want -- if extraordinary

1           circumstances, as defined in this rule exist, this  
2           is the method you make your application, and this  
3           is the means by which this commission shall make  
4           its decision.

5           CHAIRMAN LA ROSA: Commissioner Smith.

6           COMMISSIONER PASSIDOMO SMITH: Okay. Thank  
7           you, Mr. Chair.

8           I think -- I don't know, this is up to your  
9           discretion. It might be time for us to sort of  
10          deliberate. I think, at this point, we have heard  
11          as much as we can from the parties here.

12          I appreciate -- I do appreciate some of the  
13          comments you made, Ms. Clark. I agree that -- I  
14          think that the Commission made a good indication  
15          that we do want to incentivize these purchases by  
16          amending the rule. That's what the new rule was  
17          intended to do. I do respect CSWR's position here,  
18          and understand their concerns about chilling  
19          effects down the road.

20          As far as the administrative finality portion  
21          of it, the way that I am looking at this, is, you  
22          know, I have got to overcome to upset  
23          administrative finality that change in  
24          circumstances. I could be wrong, but -- and it was  
25          -- Ms. Crawford said it too. I heard it too. Mr.

1 Cox said that they understood that these systems  
2 were distressed. They got in. They were confirmed  
3 they were distressed. I didn't see a change. I  
4 mean, clearly they are -- they might be much worse  
5 than before, but I don't see that that's enough to  
6 upset administrative finality.

7 As far as -- what I got hung up on when I was  
8 going through all of this was the retroactive  
9 ratemaking portion of it. I have serious concerns  
10 about -- so, like, when I read Chapter 120.54, it  
11 says an agency may not adopt retroactive rules  
12 unless expressly authorized by statute to clarify  
13 an existing law.

14 So I guess my question is for staff, is there  
15 anything in the enabling statute of transfers that  
16 gives this commission the authority to clarify  
17 existing rules or law retroactively?

18 MR. DOSE: There is not.

19 COMMISSIONER PASSIDOMO SMITH: Thank you.  
20 That's where I stand.

21 CHAIRMAN LA ROSA: Commissioner Graham.

22 COMMISSIONER GRAHAM: Well, I guess I can  
23 start off by saying that I am not an attorney, but  
24 I do play one on TV.

25 I have actually been against this from the

1           very beginning. I didn't want to encourage the  
2           idea of companies coming in and overpaying for  
3           water and wastewater utilities, and some of them  
4           being in perfectly good order and basically forcing  
5           those ratepayers, through no fault of their own, to  
6           be paying more for a system that was working  
7           perfectly fine beforehand.

8                   And when these things came up initially, I  
9           said many times out in public, here in this forum,  
10          that if you think this is something that the state  
11          of Florida wants, then get the law changed, because  
12          the rule we have before us now does not support  
13          this, according to the information that I see.

14                   Now, I thought there was no way they were  
15          going to get this thing changed, and they did. And  
16          I think the three cases that are before us are  
17          probably in line with what they are trying to do,  
18          saying that these are systems that are falling  
19          apart and not functional.

20                   Had they brought one of the other systems  
21          before us that I thought was working perfectly  
22          fine, and trying to do the positive acquisition  
23          adjustment, I would be completely against it,  
24          because, again, that goes right into what my fear  
25          was, but these three are not that system.

1           I think the -- not that I believe that there  
2           is a public outcry for these changes, but the  
3           legislators think there is a public outcry for  
4           these changes, because they allow -- they changed  
5           the law, and then we changed that rule. So I think  
6           that's the change and the public outcry.

7           And I think, rather than putting up walls, I  
8           think we should allow these people to move forward  
9           and to have their day in court, and to prove that  
10          these systems are what they say they are, and allow  
11          them to have that positive acquisition adjustment,  
12          if they prove that, and move forward.

13          And I don't necessarily look at this as being  
14          retroactive, because they are still within that  
15          three years. And maybe it was a poor decision that  
16          they applied for the positive acquisition  
17          adjustment back then in the transfer and not now,  
18          three years later, but the big change is that rule,  
19          and I think that big rule change is the public  
20          input that we are looking for.

21          CHAIRMAN LA ROSA: Commissioners, further  
22          discussion?

23          COMMISSIONER CLARK: Mr. Chairman, I would  
24          just add a final point.

25          I go back to -- I am still kind of hung up on

1           this whole establishment of public interest prior  
2           to determination in a hearing. We are not  
3           necessarily guaranteeing a positive acquisition  
4           adjustment. We are sending this to hearing to make  
5           that determination. And my understanding and  
6           assumption is that we still have the right to deny  
7           it once we get to that point. This is strictly  
8           allowing that opportunity to take place. I  
9           certainly lean towards letting them have their day  
10          in court, as Commissioner Graham said.

11                 MS. CRAWFORD: May I offer a clarification?

12                 Just so we are clear, I think there are  
13                 actually two public interest tests we are looking  
14                 at. The first is whether to allow the petition to  
15                 proceed in contrary to administrative finality.  
16                 The second is going to be, if the applications do  
17                 proceed, a determination will need to be made of  
18                 public interest at that time as to the sufficiency  
19                 and adequacy of those applications.

20                 So there is one public interest determination,  
21                 I believe, that needs to be made today, and if the  
22                 applications are allowed to proceed, there will be  
23                 one in a future proceeding.

24                 CHAIRMAN LA ROSA: Commissioner Fay.

25                 COMMISSIONER FAY: Thank you, Mr. Chairman.



1           When I was briefing on this item, I described  
2           it as a great law school exam question, right.  
3           It's got a number of components to it that are  
4           extremely complex.

5           I will -- I won't reiterate some of the debate  
6           that we have talked about with the significant  
7           change in circumstance and the public interest case  
8           law. I think that's pretty much been discussed,  
9           and there are difference in opinions on maybe where  
10          that lands.

11          I did spend a good bit of time reviewing the  
12          retroactivity issue. Commissioner Passidomo Smith  
13          mentioned the complexity of that, and the  
14          limitation of that, as to what goes into the rule,  
15          and I give that a lot of weight. I mean, I think  
16          the requirements of putting that expressed language  
17          of retroactivity in there are key to apply it that  
18          way.

19          I think it's probably a fair debate that it's  
20          a procedural rule and not a substantive one. It  
21          might be one of those things where you would  
22          essentially be bifurcating some procedural  
23          component, some substantive component, but it's a  
24          pretty significant change to the rule. So I am not  
25          sure that I feel really comfortable on the

1 procedural argument side for retroactivity.

2 Although, I can see some of the administrative  
3 finality issues being overcome.

4 Mr. Chairman, with that, I would like maybe  
5 just ask one follow-up question to our staff just  
6 to get clarity on the motion to dismiss component.

7 CHAIRMAN LA ROSA: Go ahead.

8 COMMISSIONER FAY: So if the motion to  
9 dismissal is denied and the utility brings forward  
10 information to satisfy these components, maybe to  
11 argue administrative finality, argue retroactivity,  
12 everything that they want to put forward, where we  
13 don't have the standard of applying everything to  
14 one side of the dismissal component, would there be  
15 any component of that that would -- I guess maybe  
16 mandate is not the right word, but that would kind  
17 of force us to accept those facts?

18 So if we get beyond point, that legal point of  
19 allowing them to bring forward this information in  
20 a hearing, I want to make sure that I am clear  
21 that, you know, depending on the number of  
22 Commissioners who feel that is appropriate to go  
23 forward, does that require us to put a different  
24 lens on at that job to make a decision, or can we  
25 still give some weight to our interpretation? For

1           example, you might have somebody vote no here  
2           today, but then the utility brings forward  
3           information in the hearing process that's  
4           persuasive, is that viable, I mean, or will we be  
5           sort of limited to the fact that we allowed this to  
6           move forward without the most motion to dismissal,  
7           and that sort of shuts that door?

8           MS. CRAWFORD: Let me make sure I understand  
9           your question. You are saying if the Commission  
10          denies the motion to dismiss, the applications are  
11          allowed to proceed, the facts become clear during  
12          the course of those proceedings that dismissal  
13          would have been appropriate?

14          COMMISSIONER FAY: No, that satisfied the rule  
15          once it moved forward.

16          MS. CRAWFORD: Okay.

17          COMMISSIONER FAY: Yeah, so substantively  
18          satisfied the rule. So if you sort of move the  
19          arguments aside of administrative finality and  
20          retroactivity, if they bring forward that  
21          component, if the Commission has decided that they  
22          want to hear that, then I just want to be clear, if  
23          the utility brings forward information that  
24          satisfies that -- those requirements under the new  
25          rule, it doesn't seem like we would be foreclosing

1           our ability to still vote against that. I mean,  
2           that's where --

3           MS. CRAWFORD: I am clear now. Thank you,  
4           yes.

5           The standard for what you are being asked to  
6           do today, based on the facts accepted as true, is  
7           going to be very different if the applications are  
8           allowed to proceed. The Commission will look at  
9           those afresh, and will base its decision on the  
10          facts that are presented at that time.

11          So what you do today, if you deny the motion  
12          to dismiss, will not, in my mind in any way impinge  
13          on your ability to look at that information with a  
14          fresh, clear eye, and make an appropriate public  
15          interest determination at that time.

16          COMMISSIONER FAY: Okay. I appreciate that.

17          Yeah. I -- the hurdles for this are going to  
18          be really high for me. I am not sure I see an  
19          exact path forward, but I also hear my colleagues  
20          saying, we would like to see it. We kind of want  
21          to go to this next step and see if some of this is  
22          validated, and we don't want to foreclose the  
23          opportunity to do that.

24          I do agree with Commissioner Passidomo Smith,  
25          the retroactivity issue is a hard one to overcome.

1           It really is, but I am not sure foreclosing it at  
2           this position is the right addition decision.

3           Dismissal with prejudice, I am not sure I have  
4           ever seen that here. Dismissal without prejudice,  
5           of course, still allows the utility to come back  
6           and file something with clarity. That could be  
7           another opportunity for us to see the information,  
8           as you have stated, Ms. Crawford, that maybe would  
9           justify going forward with this. But I do think  
10          it's very challenging to make a determination what  
11          the future will hold, and so I appreciate the  
12          debate. I knew there would be a lot of it on this.  
13          And I think there are two, you know, very  
14          substantiated ways to go on this, and I do have a  
15          little hesitation foreclosing that opportunity.

16          I will just say for the record on this item,  
17          that I think from a policy standpoint, we do need  
18          to be going in this direction. I am not sure -- I  
19          think unanimously, we have kind of sat up here and  
20          said that, that we don't want to see these systems  
21          failing without some recovery. Even if I don't  
22          support -- even if I support the motion for  
23          dismissal today, I just want to be clear, that's  
24          not lack of support for this to go forward.

25          From what I understand on this docket, there

1           is nobody else that falls into this fact pattern.  
2           I mean, if we apply the rule and allow the  
3           three-year timeframe to allow for an acquisition  
4           adjustment, I don't know if there is anybody else  
5           that would even come forward.

6           Going forward, everybody that files after this  
7           has been in place, we won't have this debate, and  
8           so I think even, you know, not allowing this motion  
9           for dismissal today, or allowing it, is not a  
10          signal that we are not open to this.

11          We changed the rule because we want to see  
12          this. We have changed the rule in part because the  
13          Legislature made their directive clear. I don't  
14          want to hear -- I don't want to be back here  
15          hearing about these failing systems when we haven't  
16          incentivized them to be acquired in any way.

17          So with that, Mr. Chairman, I think there is  
18          parts of this I support, parts that I don't, but I  
19          appreciate you allowing us to have the oral  
20          arguments and open debate on it, because I really  
21          want to get this right. I mean, I really want  
22          these companies to be able to have confidence that  
23          they can bring these forward and have the process  
24          that we set up in rule, and not have the confusion  
25          to this. And I think everyone we see after this,

1 right, that will be the case. This complexity will  
2 not occur. So really, the decision we are making  
3 on this is this exact utility. And they've made a  
4 number of acquisitions. To be fair, it's not a  
5 small investment for them. It's a high risk  
6 decision, and so I don't negate that, but I do  
7 think at least we feel comfort that these  
8 individuals are the only ones that fall into this  
9 scenario, and once we move forward, it shouldn't be  
10 this complex.

11 CHAIRMAN LA ROSA: Understood.

12 Commissioner Smith.

13 COMMISSIONER PASSIDOMO SMITH: Thank you, Mr.  
14 Chair.

15 I just have, yeah, a quick -- I just -- I  
16 really appreciate Commissioner Fay's sentiment  
17 there, and I want to make that clear, you know,  
18 as -- you know, I am sorry, the two lawyers on the  
19 end here, and we are just pushing you guys.

20 CHAIRMAN LA ROSA: We will just get out of the  
21 way.

22 COMMISSIONER PASSIDOMO SMITH: I can't -- you  
23 know, just because in this, just this instance, you  
24 know, I can't get over the retroactive application  
25 about, like, when these were initially filed under

1       the old rule, and now we have the change this new  
2       rule, but I hope that that new -- the adoption of  
3       that new rule was a clear indication from the  
4       Commission, from the State that we want these  
5       companies to come in, that we appreciate what CSWR  
6       and companies, well-funded companies are doing, and  
7       that this is purely a -- for me, it's a Chapter 120  
8       thing, and I just can't get past that. That  
9       doesn't mean that I don't appreciate what is going  
10      on, that hopefully in the future, that incentive  
11      will still be there, but -- so I just -- I want to  
12      just kind of clarify that. I hope that this is --  
13      we won't have this issue again, because now the new  
14      rule is in effect, and so all new filings we will  
15      under -- we will be looking at it from a different  
16      perspective.

17               So with that, thanks, Mr. Chair.

18               CHAIRMAN LA ROSA: Thank you.

19               If there is no further discussion, I think we  
20      are ready to call you for a motion.

21               Commissioner Clark.

22               COMMISSIONER CLARK: Thank you, Mr. Chairman.

23               I would move to deny staff recommendation and  
24      set the item for hearing.

25               CHAIRMAN LA ROSA: This is on Issue 2.



1 COMMISSIONER CLARK: Yes.

2 CHAIRMAN LA ROSA: Hearing a motion, is there  
3 a second?

4 COMMISSIONER GRAHAM: You are denying staff on  
5 both items in Issue 2?

6 CHAIRMAN LA ROSA: Staff's recommendation  
7 breaks down the issue into two items.

8 MS. HELTON: I think you would be denying  
9 staff on Issue 2 but granting staff's motion on  
10 Issue 3.

11 CHAIRMAN LA ROSA: On three.

12 MS. HELTON: And I think it might be helpful,  
13 just for purposes of the order, to have a little  
14 bit of an understanding with respect to the  
15 rationale for the decision, and I think Ms.  
16 Crawford might have a couple of suggestions to help  
17 if you didn't have something that you wanted to  
18 say.

19 MS. CRAWFORD: I think it would be helpful for  
20 purposes, like Ms. Helton says, writing the order,  
21 if we could get a clear statement about the basis  
22 for denying the motion to dismiss, whether you  
23 believe there has been a change of circumstances,  
24 and if so, what they are. If you believe there is  
25 a public interest concern at stake that is

1           sufficient, what that is. And then a statement  
2           regarding why the application of the rule is  
3           allowed to go forward and is not retroactive in  
4           nature.

5           CHAIRMAN LA ROSA: Go ahead, I will take a  
6           stab at a few items.

7           COMMISSIONER CLARK: Go ahead.

8           CHAIRMAN LA ROSA: So items that have changed,  
9           right. So circumstances that have arisen, staff  
10          acknowledges three of them in the response, extreme  
11          levels of deterioration, works towards  
12          environmental compliance, and the former owners  
13          insolvency, I know that's very general, but there  
14          are specifics of that, and I think there was  
15          additional exhibits that were provided today that  
16          backs up some of that, which I think is why I  
17          certainly want to hear more.

18          When we talk about the retroactive  
19          application, the rule in question really clarifies  
20          the old acquisition adjustment policy and the new  
21          petitions were filed within the three-year window  
22          of the amended rule.

23          So those are two elements that stood out to  
24          me, but I will open it to fellow Commissioners.

25          COMMISSIONER GRAHAM: Was that a motion, Mr.

1 Chairman? Do you want to give the gavel to me?

2 CHAIRMAN LA ROSA: No, I am just providing  
3 context of where I am coming from the decision that  
4 I think I am going to make on a motion that we  
5 started to work with.

6 Commissioner Clark.

7 COMMISSIONER CLARK: And I would be glad to  
8 provide context as well, Mr. Chairman.

9 You know, public interest to me should provide  
10 a measurable benefit to customers. That benefit  
11 may be improved quality of service, and I think  
12 that it does include that in this case. I think it  
13 improves some -- the economy of scale. It  
14 certainly provides some financial stability, making  
15 certain that these companies have the funds to be  
16 able to fund the capital infrastructure, avoidance  
17 of future problems and issues, I think they are all  
18 evidence that there is customer benefit.

19 Our obligation as a commission is to protect  
20 Florida's utility customers, and I think we were  
21 anticipating that when we changed the rules. We  
22 changed the rules to evaluate these companies in an  
23 acquisition mode to determine if it was going to  
24 lead to a safer and more reliable service for the  
25 customers.

1           And I really think that the decisions that we  
2           make, I think they reflect the current law. I  
3           think they reflect the current conditions that we  
4           are under, particularly when it comes to the direct  
5           effect that this has on the quality of service that  
6           these companies are going to be able to provide.

7           So I think there is no question in my mind. I  
8           think I argued the same point in 2023, that this  
9           was a public interest statement at the time, that  
10          there does need to be an evaluation of an  
11          acquisition adjustment.

12          I would add that to my motion, if necessary,  
13          Mr. Chairman.

14          CHAIRMAN LA ROSA: Staff?

15          MS. CRAWFORD: That's sufficient. Thank you.

16          CHAIRMAN LA ROSA: All right. So there is  
17          a --

18          COMMISSIONER GRAHAM: Second.

19          CHAIRMAN LA ROSA: There you go.

20          Hearing a motion and hearing a second.

21          All those in favor signify by saying yay.

22          (Chorus of yays.)

23          CHAIRMAN LA ROSA: Yay.

24          Opposed no?

25          COMMISSIONER PASSIDOMO SMITH: No.

1           CHAIRMAN LA ROSA: All right. Show that the  
2 motion passes.

3           MR. REHWINKEL: Mr. Chairman.

4           CHAIRMAN LA ROSA: Yes, sir.

5           MR. REHWINKEL: After -- since you voted, can  
6 I ask for just a brief opportunity to make a  
7 remark? I fully respect your vote.

8           We appreciate your oppor -- you giving us the  
9 opportunity to speak. We appreciate our  
10 opportunity to work with the company and the work  
11 your staff has done. I just wanted to --

12          CHAIRMAN LA ROSA: Can you -- do you mind  
13 holding just one second? I just want to check with  
14 my staff to clean up any housekeeping but again --

15          MR. REHWINKEL: Thank, this is kind of  
16 housekeeping, but yes.

17          CHAIRMAN LA ROSA: Ms. Crawford, are we okay  
18 with that motion, with that vote? Does that leave  
19 any other issue within this item open?

20          MS. CRAWFORD: I believe we still need to  
21 address Issue 3, I believe -- was that part of it  
22 as well?

23          MS. HELTON: Yes.

24          MS. CRAWFORD: Okay. Then is the close the  
25 docket adequately addressed?

1           These dockets should remain open. My belief  
2           is they will be ultimately consolidated in an OEP  
3           with the rate case. That doesn't need to be  
4           addressed at this time, just to leave these dockets  
5           open.

6           CHAIRMAN LA ROSA: So no action is necessary  
7           on Issue 3, right?

8           MS. CRAWFORD: It would be best to get a vote  
9           on the close the docket, if that's okay. Sorry for  
10          the bother.

11          COMMISSIONER CLARK: We don't want to close  
12          the docket.

13          CHAIRMAN LA ROSA: We have the recommendation  
14          -- I guess I should read that, right?

15          MS. HELTON: I think you would, Mr. Chairman,  
16          deny Issue 4, because I think staff had recommended  
17          the dockets be closed.

18          CHAIRMAN LA ROSA: Okay. So is there a motion  
19          for Issue No. 4?

20          COMMISSIONER CLARK: Mr. Chairman, I move the  
21          dockets remain open.

22          COMMISSIONER GRAHAM: Second.

23          CHAIRMAN LA ROSA: Hearing a motion and  
24          hearing a second.

25          All those in favor signify by saying yay.

1 (Chorus of yays.)

2 CHAIRMAN LA ROSA: Yay.

3 Opposed no?

4 (No response.)

5 CHAIRMAN LA ROSA: Show that Issue 4 passes as  
6 per the motion.

7 We are good? Okay.

8 Mr. Rehwinkel.

9 MR. REHWINKEL: Thank you, Mr. Chairman. I  
10 apologize for jumping the gun on that.

11 CHAIRMAN LA ROSA: No worries.

12 MR. REHWINKEL: What I was going to say is  
13 Ms. Clark and I worked with the Commission at a  
14 time when there was this legendary Southern States  
15 case that was extremely complicated, multiple  
16 systems, highly contested issues and complexity  
17 that the Commission hasn't seen in decades now.

18 I am not saying this is like that, but they  
19 filed a case on Friday, and you have this -- now  
20 this acquisition issue coming up. Clocks start. I  
21 just want to state that we will be asking you and  
22 your staff, and we will talk to the company, about  
23 a workable framework for dealing with 11 sets of  
24 MFRs and these issues, and consolidation, that they  
25 are coming to you with.

1           So I just wanted to state that publicly. I  
2           fully respect your decision and not questioning  
3           that. It's good to get certainty about how we are  
4           going to proceed, so thank you.

5           CHAIRMAN LA ROSA: Sure. Thank you.

6           Ms. Clark.

7           MS. CLARK: We commit to working with the  
8           Public Counsel on the rate case, and any other  
9           case, as far as making it go smoothly for you all.  
10          I certainly don't want a replay of Southern States,  
11          so...

12          CHAIRMAN LA ROSA: Well, thank you for the  
13          cooperation and much appreciated.

14          All right. Commissioners, any further  
15          business besides -- any further business within our  
16          agenda? I know we have a lot of other business.

17          Okay. Seeing none, thank you all for your  
18          time. Staff, thank you for your help on this. I  
19          know today wasn't an easy day. If no further  
20          business before us, see that this meeting is  
21          adjourned.

22          Let's have Internal Affairs in 10 minutes -- I  
23          am sorry. Yes, I am sorry. I'm grabbing the wrong  
24          folder. So the Plant Daniel hearing in 10 minutes.  
25          Plant Daniel hearing in 10 minutes.



1                   See that this meeting is adjourned.

2                   (Agenda item concluded.)

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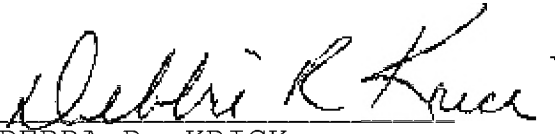
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## 1 CERTIFICATE OF REPORTER

2 STATE OF FLORIDA )  
3 COUNTY OF LEON )  
45 I, DEBRA KRICK, Court Reporter, do hereby  
6 certify that the foregoing proceeding was heard at the  
7 time and place herein stated.8 IT IS FURTHER CERTIFIED that I  
9 stenographically reported the said proceedings; that the  
10 same has been transcribed under my direct supervision;  
11 and that this transcript constitutes a true  
12 transcription of my notes of said proceedings.13 I FURTHER CERTIFY that I am not a relative,  
14 employee, attorney or counsel of any of the parties, nor  
15 am I a relative or employee of any of the parties'  
16 attorney or counsel connected with the action, nor am I  
17 financially interested in the action.18 DATED this 19th day of June, 2025.  
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