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STATE OF FLORIDA



DIVISION OF ENGINEERING
TOM BALLINGER
DIRECTOR
(850) 413-6910

Public Service Commission

October 30, 2025

Mr. Michael Smallridge
Orange Land Utilities, LLC
5911 Trouble Creek Road
New Port Richey, FL 34652-5128
mike@fus1llc.com

VIA EMAIL & CERTIFIED MAIL
CERTIFIED MAIL No. 9590 9402 6460 0346 0031 07

Re: Petition for Revocation of Certificate in Docket No. 20250131-WU

Dear Mr. Smallridge:

On October 24, 2025, the Florida Public Service Commission (Commission) received a letter of intent to petition for revocation of Orange Land Utilities, LLC's (Utility) certificate of authorization. This docket will be processed pursuant to Sections 367.072 and 367.0812, Florida Statutes (F.S.), and Rule 25-30.091, Florida Administrative Code (F.A.C.). This letter serves as the Commission's notice to the Utility of the filing of a letter of intent.

In accordance with Rule 25-30.091(5), F.A.C., please provide, within 30 days after receipt of this letter, the number of water customers the Utility serves by counting its service connections, and provide a list of your customers' names and addresses. Also, complete the attached affidavit certifying that the customer information is correct and complete. Please file all responses electronically via the Commission's website at www.floridapsc.com, by selecting the Clerk's Office tab and Electronic Filing Web Form (reference Docket No. 20250131-WU). Please note that any submission will become part of the public record unless the Utility submits a request for confidentiality. If you do not provide a response, we will utilize the number of customers reported in your most recent annual report on file with the Commission.

Mr. Michael Smallridge

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Attached are copies of Rule 25-30.091, F.A.C., Sections 367.072 and 367.0812, F.S., and the letter of intent as filed by the customer. The letter of intent may also be reviewed by accessing the docket file on the Commission's website at www.floridapsc.com. Should you have any questions concerning this process, please feel free to contact Clayton Lewis by phone at (850) 413-6578 or by email at clewis@psc.state.fl.us for technical questions, or Major Thompson by phone at (850) 413-6076 or by email at Major.Thompson@psc.state.fl.us for legal questions.

Sincerely,



Tom Ballinger

Director

Division of Engineering

TB:cl:da

Attachments

cc: Office of Commission Clerk (DN 20250131-WU)
Cortney Young (Cortney.erny@me.com)
Marty Friedman, Esq. (mfriedman@deanmead.com)
John Wharton, Esq. (jwharton@deanmead.com)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Letter of intent to petition for revocation of water Certificate of Authorization No. 288-W of Orange Land Utilities, LLC, in Pasco County, by Cortney Young, pursuant to Section 367.072, F.S. **Docket No. 20250131-WU**
Filed: _____
Date: _____

AFFIDAVIT OF CUSTOMER INFORMATION

The number of customers served by the utility as of this date is _____.

I _____ (applicant) do solemnly swear or affirm that the facts stated in the forgoing correspondence are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

BY: _____

Applicant's Signature

Applicant's Name (Typed)

Applicant's Title*

Subscribed and sworn to before me this _____ day in the month of _____ in the year of

_____ by _____ who is personally known to me _____ or produced

identification

Type of Identification Produced

Notary Public's Signature

Print, Type or Stamp Commissioned
Name of Notary Public

* NOTE: If applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

PUBLIC SERVICE COMMISSION
WATER AND WASTEWATER UTILITY RULES

25-30.091 Petition to Revoke Water Certificate of Authorization.

(1) Purpose. The purpose of this rule is to establish a process by which customers of investor-owned drinking water utilities may petition the Commission to revoke a utility's certificate of authorization pursuant to Section 367.072, F.S.

(2) Pursuant to Section 367.0812(3), F.S., customers may not petition the Commission to revoke a utility's water certificate of authorization if the utility is the subject of a proceeding under Chapter 367, F.S. For the purposes of this rule, a proceeding under Chapter 367, F.S., means any rate proceeding in which quality of water service is addressed, such as a general rate proceeding under Section 367.081, F.S., a staff assisted rate proceeding under Section 367.0814, F.S., or a limited proceeding under Section 367.0822, F.S. A general rate proceeding under Chapter 367, F.S., is initiated upon the utility's filing of a request for approval of a test year pursuant to Rule 25-30.430, F.A.C. Other rate proceedings under Chapter 367, F.S., are initiated upon the utility's filing of an application for rate relief.

(3) Letter of Intent. Utility customers who intend to petition the Commission for revocation of their utility's certificate of authorization pursuant to Section 367.072, F.S., shall notify the Commission in writing of their intent to file a petition for revocation of certificate. In the letter of intent, the customers shall advise the Commission of the name and address of their water utility. The letter of intent shall be filed with the Office of Commission Clerk.

(4) Within 10 days after receipt of the letter of intent, the Commission staff will notify the utility of the customers' intent to file a petition for revocation of its certificate of authorization.

(5) In the notification letter to the utility, the Commission staff will request that the utility certify, within 30 days after receipt of the notification letter, the number of water customers the utility serves by counting its service connections, and provide staff with a list of its customers' names and addresses.

(6) If the utility fails to certify the number of customers it serves by the date requested in the notification letter, Commission staff will utilize the number of customers reported by the utility in its most recent annual report on file with the Commission to evaluate the sufficiency of the petition pursuant to Section 367.072(1)(b), F.S.

(7) Upon receipt of the utility's response to the

Commission staff's request to certify the number of customers the utility serves, or, if the utility fails to respond to the Commission staff's request to certify the number of customers the utility serves, upon the expiration of 30 days from the utility's receipt of the Commission staff's request, the Commission staff will send the following materials to customers who file a letter of intent pursuant to subsection (3) of this rule:

(a) "Instructions for Petitioning for Revocation of Water Certificate," (EFF. 12/14), which are incorporated herein by reference and are available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-04971>;

(b) Form PSC 1000 (12/14), entitled "Florida Public Service Commission: Petition to Revoke the Certificate of Authorization of [Utility Name]," which petition form the customers must copy and use for the collection of signatures to be submitted to the Commission. A sample of Form PSC 1000 (12/14) is incorporated herein by reference for informational purposes only, and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-04972>. The sample petition form incorporated herein must not be used for the collection of signatures;

(c) A copy of Section 367.072, F.S.;

(d) A copy of this rule; and

(e) A copy of the state primary and secondary drinking water standards, as contained in Rule 62-550.828, F.A.C.

(8) For a petition for revocation to be deemed sufficient, the following criteria must be met:

(a) Each petition form must include the printed name, signature, service address, and telephone number of the customer-signatory;

(b) Each petition form must state with specificity each issue that the customer-signatory has with the quality of water service provided, each time the issue was reported to the utility, and how long the issue has existed; and

(c) Petition forms must be completed by at least 65 percent of the utility's customers, as that term is defined in Section 367.072, F.S.

(9) The customers must file the completed petition forms with the Office of Commission Clerk within 90 days after receipt of the staff's instructions.

(10) Within 10 days after receipt of the petition, the staff will provide notice to the customers who filed the letter of intent or their designated representative

by letter as to whether the petition is sufficient for the Commission to act, and will provide a copy of the notice to the utility. If the petition is deficient, the notice will specify what additional information is required.

(11) If the notice identifies deficiencies in the petition, the customers must file a corrected petition with the Office of Commission Clerk curing the noticed deficiencies within 30 days after receipt of the notice, and must provide a copy of the cured petition to the utility. The staff will notify the customers who file a corrected petition or their designated representative by letter as to whether the corrected petition has cured the deficiencies specified in the notice provided under subsection (10), and will provide a copy of the letter to the utility. If the customers fail to timely cure the noticed deficiencies, the petition will be dismissed pursuant to Section 367.072(1)(b), F.S.

(12) The utility may file a response to a sufficiently filed petition with the Office of Commission Clerk within 14 days from the staff letter notifying the customers that the petition is sufficient for the Commission to act.

(13) The staff will file a recommendation for the Commission to determine at a scheduled agenda conference whether the issues identified in a sufficiently filed petition support a reasonable likelihood that the utility is failing to provide quality water services.

(14) If the Commission determines that the issues identified in the petition do not support a reasonable likelihood that the utility is failing to provide quality water services, the Commission's order dismissing the petition will be issued as a proposed agency action. The notice of proposed agency action will give substantially affected persons an opportunity to request a Section 120.569 or 120.57, F.S., hearing on the matter within 21 days after issuance of the notice, pursuant to Rule 25-22.029, F.A.C.

(15) If the Commission determines that the issues identified in the petition support a reasonable likelihood that the utility is failing to provide quality water services, the Commission will order the utility to show cause as to why its water certificate of authorization should not be revoked, and will set the matter for hearing pursuant to Sections 120.569, 120.57, 120.60(5), and 367.072(5), F.S. The utility's response to the show cause order shall use the criteria set forth in Sections 367.072(3)(a) and (b), F.S., in addressing the issues identified within the petition.

*Rulemaking Authority 350.127(2), 367.072, 367.0812 FS.
Law Implemented 367.072, 367.0812 FS. History—New 2-10-15.*

WATER AND WASTEWATER SYSTEMS

367.072 Petition to revoke certificate of authorization.—The Legislature finds that it is in the public interest that water service be of good quality and consistent with the standards set forth in this chapter. Therefore, a utility's certificate of authorization to provide water service may be revoked if, after its customers file a petition with the commission, the commission finds that revocation is in the best interest of the customers in accordance with this section. As used in this section, the term "customer" means an individual whose property is serviced by a single meter or a person whose name appears on the bill for a master meter.

(1)(a) If the commission receives a letter from the customers of a utility stating their intent to file a petition pursuant to this section, the commission staff, within 10 days after receipt of the letter, shall notify the utility of the customers' intent to file a petition.

(b) Commission staff shall send to the customers instructions regarding the information required on the petition and the subsequent process the commission will follow. The petition must be filed within 90 days after the receipt of the instructions. Commission staff shall review the petition and notify the customers within 10 days after receipt of the petition that the petition is sufficient for the commission to act or that additional information is necessary. The customers must file a cured petition within 30 days after receipt of the notice to cure and provide a copy of the petition to the utility. If the customers fail to file or refile a petition within the allotted time, the commission shall dismiss the petition with prejudice, and the customers may not file another petition for 1 year after the dismissal.

(2) A petition must:

(a) State with specificity each issue that customers have with the quality of water service, each time the issue was reported to the utility, and how long each issue has existed; and

(b) Be signed by at least 65 percent of the customers of the service area covered under the certificate of authorization. A person whose name appears on the bill for a master meter may sign a petition if at least 65 percent of the customers, tenants, or unit owners served by the master meter support the petition, in which case documentation of such support must be included with the petition.

(3) If the petition is in compliance with this section and the issues identified within the petition support a reasonable likelihood that the utility is failing to provide quality of water service, the utility shall thereafter be prohibited from filing a rate case until the commission has issued a final order addressing the issues identified in the petition. The utility shall use the following criteria in preparing a response to the commission, addressing the issues identified

within the petition and defending the quality of its water service:

(a) Federal and state primary water quality standards or secondary water quality standards pursuant to s. 367.0812; and

(b) The relationship between the utility and its customers, including each complaint received regarding the quality of water service, the length of time each customer has been complaining about the service, the resolution of each complaint, and the time it has taken to address such complaints.

(4) The commission shall evaluate the issues identified in the petition, the utility's response as to whether it is providing quality of water service, and any other factor the commission deems relevant.

(5) Based upon its evaluation, the commission shall:

(a) Dismiss the petition, in which case the decision must be supported by clear and convincing evidence and is subject to ss. 120.569 and 120.57;

(b) Require the utility to take the necessary steps to correct the quality of water service issues identified in the petition. The commission shall set benchmarks within a timeframe, not to exceed 3 years, and may require the utility to provide interim reports describing its progress in meeting such benchmarks. The commission may extend the term 3 years for circumstances that delay the project which are not in the control of the utility, such as natural disasters and obtaining permits necessary for meeting such benchmarks; or

(c) Notwithstanding s. 367.045, revoke the utility's certificate of authorization, in which case a receiver must be appointed pursuant to s. 367.165 until a sale of the utility system has been approved pursuant to s. 367.071.

(6) The commission shall adopt by rule the format of and requirements for a petition and may adopt other rules to administer this section.

History.—s. 1, ch. 2014-68.

WATER AND WASTEWATER SYSTEMS

367.0812 Rate fixing; quality of water service as criterion.—

(1) In fixing rates that are just, reasonable, compensatory, and not unfairly discriminatory, the commission shall consider the extent to which the utility provides water service that meets secondary water quality standards as established by the Department of Environmental Protection. In determining whether a utility has satisfied its obligation to provide quality of water service that meets these standards, the commission shall consider:

(a) Testimony and evidence provided by customers and the utility;

(b) The results of past tests required by a county health department or the Department of Environmental Protection which measure the utility's compliance with the applicable secondary water quality standards;

(c) Complaints regarding the applicable secondary water quality standards filed by customers with the commission, the Department of Environmental Protection, the respective local governmental entity, or a county health department during the past 5 years; and

(d) If the commission deems necessary, the results of any updated test.

(2)(a) In determining the quality of water service, the commission shall consider a finding by the Department of Environmental Protection as to whether the utility has failed to provide water service that meets the secondary water quality standards of the department.

(b) The utility shall create an estimate of the costs and benefits of a plausible solution to each issue identified by the commission.

(c) The utility shall meet with its customers within a time prescribed by the commission to discuss the estimated costs and benefits of and time necessary for implementing a plausible solution for each quality of water service issue identified, and the utility shall report the results of such meetings to the commission.

(d) The utility shall inform the commission, if:

1. The customers and the utility agree on a solution for each quality of water service issue identified, of each agreed-on solution and the cost of each solution; or

2. The customers and the utility prefer a different solution to at least one of the quality of water service issues identified, of the preferred solutions by each and the cost of each solution.

(e) The commission may require the utility to implement a solution that is in the best interest of the customers for each quality of water service issue. The utility may recover its costs in implementing the solutions ordered by the commission. The commission may establish the necessary benchmarks that a utility must meet for each solution and require

the utility to report periodically until each solution is completed.

(3) Notwithstanding s. 367.072, customers may not petition the commission to revoke the certificate of authorization of a utility if it is the subject of a proceeding under this chapter.

(4) The commission may prescribe penalties for a utility's failure to adequately resolve each quality of water service issue as required. Penalties may include penalties as provided in s. 367.161, a reduction of return on equity of up to 100 basis points, the denial of all or part of a rate increase for a utility's system or part of a system if it determines that the quality of water service is less than satisfactory until the quality of water is found to be satisfactory, or revocation of the certificate of authorization pursuant to s. 367.072.

(5) The commission shall adopt rules to assess and enforce compliance with this section.

History.—s. 2, ch. 2014-68.

Cortney Young
7232 Knoll Drive
New Port Richey, FL 34653
cortney.erny@me.com
239-770-1460

Date: October 24, 2025

Florida Public Service Commission
Division of Engineering – Water and Wastewater
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RE: Letter of Intent to Petition for Revocation of Certificate of Authorization – Orange Land Utilities, LLC (Utility Address: 5911 Trouble Creek Rd, New Port Richey, FL 34652)

To Whom It May Concern:

Please accept this correspondence as formal **notice of intent to petition for the revocation of the Certificate of Authorization** held by **Orange Land Utilities, LLC**, whose principal place of business is located at **5911 Trouble Creek Road, New Port Richey, Florida 34652**.

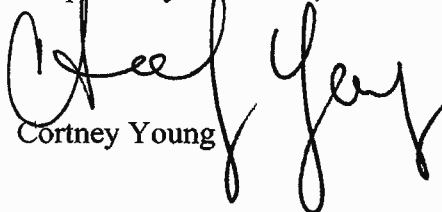
This request is made pursuant to the authority granted under **Chapter 367, Florida Statutes**, and applicable Florida Administrative Code provisions governing the regulation of privately owned water utilities. The intent of this petition is to **seek Commission review and action to revoke Orange Land Utilities, LLC's authorization to provide water service** based on persistent service failures and what appears to be the **current abandonment of service**.

Upon filing the formal petition, supporting documentation, affidavits, and evidence substantiating these claims will be provided for the **Commission's consideration**.

Please acknowledge receipt of this **Letter of Intent** and advise of any procedural requirements or deadlines necessary to perfect the petition. Should you have any questions or require additional information, I am available at 239-770-1460 or cortney.erny@me.com.

Thank you for your attention to this matter.

Respectfully submitted,



Cortney Young