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DIVISION OF ENGINEERING  
TOM BALLINGER  
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# Public Service Commission

May 8, 2026

F. Marshall Deterding, Esq.  
Sundstrom Law, LLC  
2548 Blairstone Pines Drive  
Tallahassee, Florida 32301  
mdeterding@sundstrom-law.com

VIA EMAIL

**Re: Docket No. 20260018-WS – Application for transfer of facilities of Northgate Properties, Inc., Water Certificate No. 412-W and Wastewater Certificate No. 345-S to Northgate FL Utility, LLC, in Brevard County.**

Dear Mr. Deterding:

Staff has reviewed Northgate FL Utility, LLC's (Northgate or Buyer) April 10, 2026 response to Staff's Deficiency Letter. After reviewing this information, we find the application still to be deficient. The specific deficiencies are identified as:

1. **Proof of Noticing.** Rule 25-30.037(2)(b), Florida Administrative Code (F.A.C.), requires the applicant to provide proof of noticing, pursuant to Rule 25-30.030, F.A.C. Rule 25-30.030(6), F.A.C., states that all applications requiring noticing shall be deemed deficient until affidavits of noticing required by Sections 367.045(1)(e) and (2)(f), Florida Statutes, along with a copy of the notice, are filed with the Office of Commission Clerk. Staff notes that the Buyer cannot correct this deficiency until its draft notice has been approved by staff and has been issued in accordance with Rule 25-30.030(5), F.A.C. However, staff is working with the Buyer toward approval of the draft notice. Upon staff approval of the Buyer's draft notice and issuance of the same, please provide proof of noticing, pursuant to Rule 25-30.030, F.A.C.
2. **Assets.** Rule 25-30.037(2)(j)3, F.A.C., requires that the applicant provide a list of and the dollar amount of the assets purchased and liabilities assumed or not assumed, including those of nonregulated operations or entities. In the deficiency letter response dated April 10, 2026, the Buyer stated that a listing of the dollar amount of Utility assets purchased were provided as Exhibit C; however, Exhibit C did not identify the dollar amounts for the listed assets. Please provide the dollar amount for each of the listed assets purchased.
3. **Federal Income Tax Returns.** Rule 25-30.037(2)(p), F.A.C., requires a statement that the buyer has obtained or will obtain copies of all federal income tax returns of the seller from the date the utility was first established, or from the date the rate base was last established by the Commission. If the tax returns have not been obtained, the applicant must explain the steps taken to obtain them. In the deficiency letter response dated April 10, 2026, the Buyer

Mr. F. Marshall Deterding

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stated that the seller refused to provide the tax returns. Staff finds that this statement is not a sufficient explanation as required under Rule 25-30.037(2)(p), F.A.C.

4. **Compliance Inspection Reports.** Rule 25-30.037(2)(r)2, F.A.C., requires the applicant provide a copy of the most recent Department of Environmental Protection (DEP) and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report. Please provide a copy of the most recent compliance inspection report (wastewater).

Commission staff also requests that Northgate provide responses to the following data request:

1. In Northgate's application, Exhibit H provided a screen capture of the St. Johns River Water Management District permit. Based on staff's review, the document provided indicates an expiration date of 12/22/2025. Please provide the most recent copy of the current valid Water Management District permit.
2. In its deficiency letter response dated April 10, 2026, Northgate provided a copy of a Sanitary Survey Inspection conducted by the DEP on the water system on May 6, 2024. The report identified three potential violations. Please explain in detail if the Utility has since corrected the violations and is currently in compliance with the DEP. If not, explain why.

Your application will not be deemed filed until the deficiencies identified in this letter have been corrected. These corrections should be submitted no later than **Monday, June 8, 2026**, to the following address:

Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

In addition, please email the filed response to [discovery-gcl@psc.state.fl.us](mailto:discovery-gcl@psc.state.fl.us). Please include the docket number on all submissions to the Commission Clerk. Should you have any questions concerning the information in this letter, please feel free to contact Ailynee Ramirez-Abundez by phone at (850) 413-6974 or email at [aramirez@psc.state.fl.us](mailto:aramirez@psc.state.fl.us) for technical questions, or Zachary Bloom by phone at (850) 413-6524 or email at [ZBloom@psc.state.fl.us](mailto:ZBloom@psc.state.fl.us) for legal questions.

Sincerely,

*s/ Ailynee Ramirez-Abundez*

Ailynee Ramirez-Abundez  
Public Utility Analyst  
Division of Engineering

ARA:da

cc: Office of Commission Clerk (Docket No. 20260018-WS)