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February 4, 2026

VIA ELECTRONIC MAIL TO: CLERK@psc.state.fl.us

Adam Tietzman, Director
Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

RE: Docket No. 20250146-WS - Joint application for transfer of water and wastewater facilities, water Certificate No. 354-W and wastewater Certificate No. 310-S of Useppa Island Utilities Company, Inc. to UIP Utilities Company, LLC, in Lee County

Response to January 20, 2026 Deficiency Letter

Dear Mr. Tietzman:

For inclusion in Docket No. 20250146-WS, UIP Utilities Company LLC and Useppa Island Utilities Company, Inc. provide the following responses to the Commission's January 20, 2026 deficiency letter.

1. **Notice of Application.** Rule 25-30.030(4), Florida Administrative Code (F.A.C.), states that all notices are required to meet the requirements detailed, including those detailed in subsections (d) and (f), which require the notice to contain the docket number and docket title, and a disclosure that the legal description has been simplified and that a complete legal description can be obtained from the applicant, respectively. The provided notice does not include the docket number or the legal description disclosure and therefore does not meet the requirements of 25-30.030(4), F.A.C. Please provide a revised notice of application that meets these requirements.

RESPONSE: Please see attached revised notice.

2. **Proof of Noticing.** Rule 25-30.037(2)(b), F.A.C., requires proof of noticing pursuant to Rule 25-30.030(6), F.A.C., which 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 this deficiency cannot be corrected until the notice has been approved by Staff in accordance with Rule 25-30.030(4), F.A.C. Upon the issuance of the notice, please provide proof of noticing pursuant to Rule 25-30.030, F.A.C.

RESPONSE: UIP Utilities Company, LLC and Useppa Island Utilities Company, Inc. will provide proof of noticing pursuant to Rule 25-30.030, F.A.C., upon issuance of the notice.

3. **Seller Information.** Rule 25-30.037(2)(c), F.A.C., states that the application shall provide the specified contact and identification information about the seller, including the certificated name of the seller. The provided Seller Utility name does not match the certificated name. If the Seller name is the correct name, please explain the discrepancy between the certificated name and Seller name.

RESPONSE: The Seller Utility name provided, Useppa Island Utilities Company, Inc. is the correct name, and the certificated name, Useppa Island Utility, Inc., is a result of an inadvertent error. Useppa Island Utilities Company, Inc. has been the Seller Utility's name since incorporation in 1981. Any misstatement or variation of that official name occurred as an inadvertent error by one of the various officers or executives involved in Useppa Island Utilities Company, Inc. or its parent company, Useppa Inn and Dock Company, Inc. Such inadvertence occurred in other matters, as evidenced by the attached 2001 Warranty Deed conveying property from the penultimate holding company, Useppa Inn and Dock Company, Ltd., to *Useppa Utility Company, Inc.* The attached 2025 Corrective Warranty Deed was required to remedy the error. Seller Utility, Useppa Island Utilities Company, Inc. represents that all errors in nomenclature were unintentional and were not made with intent to defraud or obscure the true party to any matters.

4. **Federal Income Tax Return.** Rule 25-30.037(2)(p), F.A.C., states that the applicant shall provide a statement from buyer that it has obtained or will obtain copies of all of the federal income tax returns of the seller from the date the utility was first established or the date rate base was last established by the Commission, whichever is later. If the tax returns have not been obtained, please provide a description of the steps taken to obtain the tax returns. Please provide a description of the steps the Buyer has taken to obtain the tax returns.

RESPONSE: Since the filing of the joint application on December 18, 2025, Buyer, UIP Utilities Company, LLC has obtained all of Useppa Island Utilities Company, Inc.'s federal tax returns for all tax years since the Commission last established Useppa Island Utilities Company, Inc.'s rate base in 2012.

5. **DEP Correspondence.** Rule 25-30.037(2)(r)(3), F.A.C. States that the applicant shall provide copies of documentation from the Florida Department of Environmental Protection (DEP) of all the utility's correspondence with the DEP, county health department, and water management district, including consent orders and warning letters, and the utility's responses to the same, for the past five years. While links to DEP facility public document searches were provided, this does not satisfy the requirements of the Rule. Please provide copies of the correspondence from the DEP.

RESPONSE: Copies of all communications between Useppa Island Utilities Company, LLC and the DEP for the past five years are attached.

6. **Tariffs.** Rule 25-30.037(2)(u), F.A.C., states that the tariff sheets should reflect any changes resulting from the transfer. In the filed application, the Buyer provided the existing tariff, which does not indicate a change in ownership. Please provide tariff sheets indicating the change in name and issuing officer.

RESPONSE: Please see attached revised tariff sheets.

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The parties appreciate the opportunity to provide additional information in support of the information. Please don't hesitate to contact our office at your convenience with any additional questions or concerns.

Very truly yours,

/s/ Tristan T. Cavanaugh, Esq.
Tristan Cavanaugh
TTC:ttc

Enclosures:

- Attachment 1 – Notice
- Attachment 2 – 2001 Warranty Deed
- Attachment 3 – 2025 Corrective Warranty Deed
- Attachment 4-1 – Florida DEP Correspondence (Permit No. FLA014494)
- Attachment 4-2 – Florida DEP Correspondence (Permit No. 98998)
- Attachment 4-3 – Florida DEP Correspondence (Permit No. 5360299)
- Attachment 4-4 – Florida DEP Correspondence (Permit No. FLA146109)
- Attachment 5 – UIP Utilities Company, LLC Tariff Sheets

CC:

<p>Florida Public Service Commission Office of the General Counsel Jennifer Auspurger Jacob Imig 2450 Shumard Oak Boulevard Tallahassee, Florida 32399 jaugspurg@psc.state.fl.us jimig@psc.state.fl.us owooten@psc.state.fl.us ZBloom@psc.state.fl.us</p>	<p>Floyd Self, Esq. Berger Singerman, LLP 313 North Monroe Street Suite 301 Tallahassee, Florida 32301 fself@bergersingerman.com <i>Counsel for Useppa Island Utilities Company, Inc.</i></p>
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