

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for authority to transfer
wastewater facilities and Certificate No. 537-S
in Okeechobee County from The Vantage
Development Corporation to Vantage Oaks
Utility, LLC.

DOCKET NO. 20230111-SU
ORDER NO. PSC-2024-0225-PAA-SU
ISSUED: July 8, 2024

The following Commissioners participated in the disposition of this matter:

MIKE LA ROSA, Chairman
ART GRAHAM
GARY F. CLARK
ANDREW GILES FAY
GABRIELLA PASSIDOMO

NOTICE OF PROPOSED AGENCY ACTION
ORDER ESTABLISHING NET BOOK VALUE, DECLINING TO MAKE AN ACQUISITION
ADJUSTMENT, AND REVISING MISCELLANEOUS SERVICE CHARGES
AND
ORDER DECLINING TO SHOW CAUSE, GRANTING TRANSFER OF CERTIFICATE NO.
537-S, AND CONTINUING EXISTING RATES AND CHARGES

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein establishing net book value, declining to make an acquisition adjustment, and revising miscellaneous service charges is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code (F.A.C.).

Background

The Vantage Development Corporation (Vantage Development, Utility, or Seller) is a Class C utility providing wastewater service to 174 residential customers in the Vantage Oaks Mobile Home Community, along with a single general service customer, in Okeechobee County, Florida. The Utility is located in the South Florida Water Management District. Water service is provided by Okeechobee Utility Authority, a governmental entity. In its 2023 Annual Report, Vantage Development reported a net operating loss of \$28,529.

In 2004, we granted Vantage Development a grandfather certificate for wastewater service in Okeechobee County.¹ The certificated service territory has not been amended since that time. The Utility's last rate case was in 2007.²

On September 27, 2023, Vantage Oaks Utility, LLC (Vantage Oaks or Buyer) filed an application for transfer of Certificate No. 537-S from Vantage Development to Vantage Oaks. The wastewater system was acquired by the Buyer in 2022, at which time the Buyer was not aware that the system was a regulated utility under the jurisdiction of the Commission.

This order addresses whether a show cause proceeding should be initiated because the Buyer failed to obtain our approval prior to the transfer of its assets and failed to submit an application for authority to transfer within 90 days after the sale closing date, the transfer of the wastewater system and Certificate No. 537-S, the appropriate net book value (NBV) of the wastewater system for transfer purposes, whether an acquisition adjustment should be made, and the revision of miscellaneous service charges. We have jurisdiction pursuant to Section 367.071, Florida Statutes (F.S.).

Decision

I. Show Cause

On September 27, 2023, Vantage Oaks submitted an application for authority to transfer wastewater facilities and Certificate No. 537-S in Okeechobee County from Vantage Development to Vantage Oaks. According to the information contained in the application, the parties closed on the sale of the Utility on June 20, 2022. Notably, Vantage Development's contract for sale to Vantage Oaks did not include any provisions stating that the contract was contingent upon our approval.³

Section 367.071(1), F.S., provides that no utility shall transfer its certificate of authorization, facilities or any portion thereof, or majority organizational control without determination and approval by us that the proposed transfer is in the public interest and that the buyer, assignee, or transferee will fulfill the commitments, obligations, and representations of the utility. However, a transfer of certificate of authorization, facilities or any portion thereof, or majority organizational control may occur prior to our approval if the contract for sale, assignment, or transfer is made contingent upon our approval.

Furthermore, Rule 25-30.037(1)(a), F.A.C., provides that if a transfer occurs prior to our approval, the utility shall submit an application for authority to transfer no later than 90 days after the sale closing date.

¹Order No. PSC-05-0498-FOF-SU, issued May 5, 2005, in Docket No. 20040801-SU, *In re: Application for grandfather certificate to operate wastewater utility in Okeechobee County by The Vantage Development Corporation*.

²Order No. PSC-07-0789-PAA-SU, issued September 27, 2007, in Docket No. 20070074-SU, *In re: Application for staff-assisted rate case in Okeechobee County by The Vantage Development Corporation*.

³The contract for sale is attached as Exhibit A to Vantage Oaks' application, Document No. 05423-2023, filed on September 27, 2023.

Violations of the provisions of any lawful rule or any statute administered by us may result in penalties as provided by Section 367.161, F.S. In particular, violations of the provisions of Chapter 367, F.S., or any rule adopted pursuant to the Chapter, may result in a penalty for each offense of not more than \$5,000. Utilities are charged with the knowledge of our rules and statutes. Additionally, “it is a common maxim, familiar to all minds that ‘ignorance of the law’ will not excuse any person, either civilly or criminally.” *Barlow v. United States*, 32 U.S. 404, 411 (1833).

By failing to make the sale contingent upon our approval, and by filing its transfer application fifteen months after the sale was closed, it appears that Vantage Oaks violated Section 367.071(1), F.S., and Rule 25-30.037(1)(a), F.A.C. On February 20, 2024, Vantage Oaks was mailed a notice of apparent violation. Vantage promptly responded to the notice of apparent violation on February 26, 2024, providing mitigating circumstances as to why Vantage Oaks should not be fined or otherwise penalized. We consider the existence of mitigating circumstances when deciding whether to pursue show cause proceedings against utilities.⁴

Vantage Oaks states that it was unaware that the system it acquired as a part of its purchase of the Vantage Oaks RV park was a Commission-regulated system. The seller did not make Vantage Oaks aware of this during negotiations for sale nor at the time of closing. However, since learning of its violations, Vantage Oaks has shown diligence in working with our staff to ensure transfer of this system is in conformity with our laws and rules.

It appears as if Vantage Oaks has made a good faith effort to effect a lawful transfer of this system, and that the transfer is in the best interest of its customers. Because the Utility has been responsive in coming into compliance with the applicable rules and statutes regarding transfer of certificates, we find that the Utility's apparent violation of Section 367.071(1), F.S., and Rule 25-30.037(1)(a), F.A.C., does not rise to the level which warrants the initiation of a show cause proceeding. Therefore, Vantage Oaks shall not be required to show cause for failing to obtain our approval prior to closing on the sale of its facilities, and failing to submit an application to us for authority to transfer no later than 90 days after the sale closing date. However, Vantage Oaks shall be placed on notice that show cause proceedings may be initiated if further violations of our laws or rules regarding the transfer of certificates are identified.

II. Transfer of Certificate No. 537-S

On September 27, 2023, Vantage Oaks filed an application for the transfer of Certificate No. 537-S from Vantage Development to Vantage Oaks in Okeechobee County. The application is in compliance with Section 367.071, F.S., and our rules concerning applications for transfer of certificates. The sale of the wastewater system to Vantage Oaks took place in 2022.

⁴Order No. PSC-16-0043-PAA-WU, issued January 25, 2016, in Docket No. 20150186-WU, *In re: Application for certificate to operate a water utility in Hardee County by Charlie Creek Utilities, LLC*. (A utility was not required to show cause when it took affirmative steps to cooperate with Commission staff and abide by Commission laws and rules upon learning that it was improperly operating without a Commission-issued certificate.)

A. Noticing, Territory, and Land Ownership

Vantage Oaks provided notice of the application pursuant to Section 367.071, F.S., and Rule 25-30.030, F.A.C. No objections to the transfer were filed, and the time for doing so has expired. The application contains a description of the Utility's authorized service territory, which is appended to this Order as Attachment A. In its application, Vantage Oaks provided a copy of a 99-year land lease that was executed on August 31, 2023, as evidence that Vantage Oaks has continued use of the land upon which the wastewater treatment facilities are located, pursuant to Rule 25-30.037(2)(s), F.A.C. Vantage Oaks stated that upon approval of the transfer, the executed lease will be recorded in the Okeechobee County Public Records.⁵

B. Purchase Agreement and Financing

Pursuant to Rule 25-30.037(2)(g), (h), and (i), F.A.C., the application contains a statement regarding financing and a copy of the purchase agreement, which includes the purchase price, terms of payment, and a list of the assets purchased. There are no customer deposits, guaranteed revenue contracts, customer advances, leases, developer agreements, or debt of the Seller that must be disposed of in regard to the transfer. As discussed in greater detail in Section III of this Order, the Buyer provided a revised purchase and sale agreement, accepted by us at our June 18, 2024 Agenda Conference, which establishes that the total purchase price for the wastewater assets is \$57,409. According to the Buyer, the closing took place June 30, 2022.

C. Facility Description and Compliance

The Utility's domestic wastewater treatment plant (WWTP) is a 50,000 gallons per day extended aeration plant, consisting of flow equalization, aeration, secondary clarification and chlorination, with a polishing pond and additional filtration before land application. Vantage Oaks provided a copy of the Utility's current permit from the Florida Department of Environmental Protection (DEP), pursuant to Rule 25-30.037(2)(r)1., F.A.C., and has also completed the permit renewal process with DEP to reflect the change in ownership.

We reviewed the most recent DEP compliance evaluation inspection for the WWTP, dated January 27, 2023, which identified eight issues. DEP subsequently issued a warning letter on March 22, 2023, listing the eight issues which included an outdated manual, a missing annual report regarding the available connectivity to a regional system, and inoperable or deteriorating equipment. The warning letter also recognized an unauthorized discharge on December 29, 2022, due to an equipment failure. In its response to our staff's first data request, the Utility explained that it worked with its contract operator, US Water Services Corporation, to correct the identified issues, and subsequently met with DEP to discuss these corrective actions.⁶ Our staff confirmed with DEP that the Utility's corrective actions identified from its warning letter have been completed.⁷

⁵Document No. 00114-2024, dated January 8, 2024, in Docket No. 20230111-SU.

⁶Document No. 00114-2024, filed on January 8, 2024, in Docket No. 20230111-SU.

⁷Document No. 02849-2024, filed on May 8, 2024, in Docket No. 20230111-SU.

D. Technical and Financial Ability

Pursuant to Rule 25-30.037(2)(1) and (m), F.A.C., the application contains statements describing the technical and financial ability of the Buyer to provide service to the proposed service area. As referenced in the transfer application, the Buyer will fulfill the commitments, obligations, and representations of the Seller with regard to Utility matters. Vantage Oaks' application states that it has no prior experience operating a regulated water or wastewater utility in Florida; however, the Buyer and its affiliates have operated water and wastewater systems throughout the United States. Vantage Oaks committed to employing the appropriate operational, technical, and managerial personnel and contractors with knowledge and experience in utility operation, who will ensure the continuous efficient and effective operation and management of the wastewater system. At this time, Vantage Oaks utilizes US Water Services Corporation for the contract operations and maintenance of its wastewater system.⁸

The Utility stated that the purchasing entity was created for the purpose of owning and operating the Utility after the transfer, and as such no financial statements exist for Vantage Oaks Utility, LLC. In the Utility's application, the parent company of Vantage Oaks, Parakeet Holding Company, provided financial statements, as well as an affidavit stating its ability and intent to meet all reasonable capital needs arising from the operation of the Utility. We have reviewed the parent company's financial statements. Based on the above, the Buyer has demonstrated the technical and financial ability to provide service to the existing service territory.

E. Rates, Charges, and Initial Customer Deposits

Vantage Oaks' rates and initial customer deposits were last approved in a 2007 staff-assisted rate case.⁹ The Utility's miscellaneous service charges were approved in 2005 in a grandfather certificate docket.¹⁰ The Utility's rates were subsequently amended by one price index increase rate adjustment in 2009 and a rate reduction to remove expired rate case expense amortization in 2012. Rule 25-9.044(1), F.A.C., provides that, in the case of a change of ownership or control of a Utility, the rates, classifications, and regulations of the former owner must continue, unless authorized to change by the Commission. However, the Utility's miscellaneous service charges do not conform to Rule 25-30.460, F.A.C., and are addressed later in this Order. The Utility's existing rates and initial customer deposits for wastewater shown on Schedule No. 2 shall remain in effect, until a change is authorized by us in a subsequent proceeding. The tariff pages reflecting the transfer shall be effective on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475(1), F.A.C.

⁸Document No. 04362-2024, filed on May 29, 2024, in Docket No. 2023111-SU.

⁹Order No. PSC-07-0789-PAA-SU, issued September 27, 2007, in Docket No. 20070074-SU, *In re: Application for staff-assisted rate case in Okeechobee County by Vantage Development Corporation.*

¹⁰Order No. PSC-05-0498-FOF-SU, issued May 5, 2005, in Docket No. 20010801-SU, *In re: Application for grandfather certificate to operate wastewater utility in Okeechobee County by The Vantage Development Corporation.*

F. Regulatory Assessment Fees and Annual Reports

The Utility is current on its filing of annual reports and regulatory assessment fees (RAFs) through December 31, 2023. The Buyer shall be responsible for the Utility's annual reports and paying RAFs for 2024 and all future years.

G. Conclusion

Based on the foregoing, we find that the transfer of the wastewater system and Certificate No. 537-S is in the public interest and shall be approved effective the date of our vote, June 18, 2024. This Order shall serve as the Buyer's certificate and shall be retained by the Buyer. The Utility's existing rates and initial customer deposits, as shown on Schedule No. 2, shall remain in effect until a change is authorized by us in a subsequent proceeding. The tariff pages reflecting the transfer shall be effective on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475(1), F.A.C. The Utility is current, with respect to RAFs and annual reports, and shall be responsible for filing annual reports and paying RAFs for all future years.

III. Net Book Value

Rate base was last established for the Utility as of December 31, 2006. The purpose of establishing the NBV for transfers is to determine whether an acquisition adjustment should be approved. The NBV does not include normal ratemaking adjustments for used and useful plant or working capital. The Utility's NBV has been updated to reflect balances as of June 30, 2022. The NBV, as approved by us and described herein, is shown on Schedule No. 1

A. Utility Plant in Service (UPIS)

The Utility's general ledger reflected a UPIS balance of \$336,868, as of June 30, 2022. Our audit staff reviewed UPIS additions and retirements since the last rate case proceeding, and found that the Utility had excluded several plant additions and retirements. Additionally, the Utility used incorrect accounts in its calculation of UPIS. Consequently, our audit staff determined that UPIS was understated by \$1,264. As such, we find that a UPIS balance of \$338,132 as of June 30, 2022 is appropriate.

B. Land

The Utility's general ledger reflected a land balance of \$10,350, as of June 30, 2022. Our audit staff reviewed the Utility's general ledger and made no adjustments. Therefore, we find a land balance of \$10,350, as of June 30, 2022.

C. Accumulated Depreciation

The Utility's general ledger reflected an accumulated depreciation balance of \$333,201, as of June 30, 2022. We recalculated accumulated depreciation using the audited UPIS plant balances and the depreciation rates established by Rule 25-30,140(2), F.A.C. We find

accumulated depreciation to be overstated by \$42,128. As a result, accumulated depreciation shall be decreased by \$42,128. Therefore, we find an accumulated depreciation balance of \$291,073, as of June 30, 2022.

D. Contributions-in-Aid-of-Construction (CIAC) and Accumulated Amortization of CIAC

As of June 30, 2022, the Utility's general ledger reflected a CIAC balance of \$135,538, and an accumulated amortization of CIAC balance of \$135,538. We reviewed the Utility's CIAC and Accumulated Amortization of CIAC balances and made no adjustments. Therefore, we find a CIAC balance of \$135,538, and an accumulated amortization of CIAC balance of \$135,538, as of June 30, 2022.

E. Net Book Value

The Utility's general ledger reflected an NBV of \$14,017, as of June 30, 2022. Based on the aforementioned adjustments, we find an NBV for the Utility of \$57,409, as of June 30, 2022. The approved NBV and the National Association of Regulatory Utility Commissioners Uniform System of Accounts balances for UPIS and accumulated depreciation are shown on Schedule No. 1, as of June 30, 2022.

F. Acquisition Adjustment

An acquisition adjustment results when the purchase price differs from the NBV of the assets at the time of the acquisition. Pursuant to Rule 25-30.0371, F.A.C., a positive acquisition adjustment may be appropriate when the purchase price is greater than the NBV, and a negative acquisition adjustment may be appropriate when the purchase price is less than the NBV. In its application, the Buyer provided a bill of sale dated August 31, 2023, attesting that it purchased the utility for \$3,700. When compared with the net book value of \$57,409, this would result in a negative acquisition adjustment pursuant to Rule 25-30.371(3), F.A.C. Subsequent to the filing of the staff recommendation, the Buyer filed a revised bill of sale on June 14, 2024, showing a revised allocated purchase price of \$57,409.¹¹ In its filing, the Buyer contended that the purchase of the Utility was only part of the larger purchase of the Vantage Oaks Mobile Home Community, and that the original bill of sale was intended to reflect the net book value the Seller's books represented should be allocated to the Utility at the time of purchase. Due to the adjustments determined in the staff audit, the NBV of the Utility is higher than that originally stated by the Seller. At our June 18, 2024 Agenda Conference, the Buyer asked that we accept the revised bill of sale prior to our vote. As the accepted revised allocated purchase price is equal to the NBV, we find that no acquisition adjustment is warranted.

G. Conclusion

Based on foregoing, we find that the NBV of the Utility's wastewater system for transfer purposes is \$57,409, as of June 30, 2022. No acquisition adjustment shall be made. Within 90

¹¹ Document No. 06501-2024, filed on June 14, 2024, in Docket No. 20240111-SU.

days of the date of the consummating order, the Buyer shall be required to notify us in writing that it has adjusted its books in accordance with the our decision. Furthermore, the adjustments shall be reflected in the Utility's 2024 Annual Report when filed.

IV. Revised Miscellaneous Service Charges

The Utility did not request to revise its miscellaneous charges; however, the charges do not conform to Rule 25-30.460, F.A.C. The Utility's current miscellaneous service charges consist of several miscellaneous service charges as shown below in Table 1.

Table 1
Utility's Existing Miscellaneous Service Charges

	<u>Business Hours</u>
Initial Connection Charge	\$15.00
Normal Reconnection Charge	\$15.00
Violation Reconnection Charge - Wastewater	Actual Cost
Premises Visit Charge (in lieu of disconnection)	\$10.00

The rule does not allow for initial connection and normal reconnection charges. These charges are the same as the premises visit charge. Therefore, the current initial connection and normal reconnection charges are obsolete and inconsistent with the rule and shall be removed. Since the premises visit entails a broader range of tasks, we find that the premises visit charge shall reflect the amount of the normal reconnection charge of \$15. We also find that the definition for the premises visit charge must be updated to comply with Rule 25-30.460, F.A.C. We therefore approve miscellaneous service charges as shown below in Table 2.

Table 2
Approved Miscellaneous Service Charges

	<u>Business Hours</u>
Violation Reconnection Charge - Wastewater	Actual Cost
Premises Visit Charge	\$15.00

Based on the above, the miscellaneous service charges shall be revised to conform to Rule 25-30.460, F.A.C. The tariff shall be revised to reflect the removal of initial connection and normal reconnection charges. The Utility shall be required to file a proposed customer notice to reflect the charges as approved. The approved charges shall be effective for service rendered or connections made on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), F.A.C. In addition, the approved charge shall not be implemented until our staff has approved the proposed customer notice and the notice has been received by customers. The Utility shall provide proof of the date notice was given no less than 10 days after the date of the notice. The Utility shall be required to charge the approved miscellaneous services charges until authorized to change them by us in a subsequent proceeding.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Vantage Oaks Utility, LLC shall not be required to show cause for failing to obtain our approval prior to closing on the sale of its facilities, and failing to submit an application to us for authority to transfer no later than 90 days after the sale closing date. However, Vantage Oaks shall be placed on notice that show cause proceedings may be initiated if further violations of our laws or rules regarding the transfer of certificates are identified. It is further

ORDERED that the transfer of the wastewater system and Certificate No. 537-S from Vantage Development Corporation to Vantage Oaks Utility, LLC is in the public interest and shall be approved effective the date of our vote, June 18, 2024. This Order shall serve as the Buyer's certificate and shall be retained by the Buyer. It is further

ORDERED that Vantage Oaks Utility, LLC's existing rates and initial customer deposits, as shown on Schedule No. 2, shall remain in effect until a change is authorized by us in a subsequent proceeding. The tariff pages reflecting the transfer shall be effective on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475(1), F.A.C. The Utility shall be responsible for filing annual reports and paying RAFs for all future years. It is further

ORDERED that the Net Book Value of the Utility's wastewater system for transfer purposes is \$57,409, as of June 30, 2022. No acquisition adjustment shall be made with respect to the transfer. Within 90 days of the date of the consummating order, the Buyer shall be required to notify us in writing that it has adjusted its books in accordance with the our decision. Furthermore, the adjustments shall be reflected in the Utility's 2024 Annual Report when filed. It is further

ORDERED that the miscellaneous service charges shall be revised to conform to Rule 25-30.460, F.A.C. The tariff shall be revised to reflect the removal of initial connection and normal reconnection charges. The Utility shall be required to file a proposed customer notice to reflect the charges as approved. The approved charges shall be effective for service rendered or connections made on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), F.A.C. In addition, the approved charge shall not be implemented until our staff has approved the proposed customer notice and the notice has been received by customers. The Utility shall provide proof of the date notice was given no less than 10 days after the date of the notice. The Utility shall be required to charge the approved miscellaneous services charges until authorized to change them by us in a subsequent proceeding. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDER NO. PSC-2024-0225-PAA-SU

DOCKET NO. 20230111-SU

PAGE 10

ORDERED that this docket shall remain open for Commission staff's verification that the revised tariff sheets have been filed, that proof has been provided that appropriate noticing has been done pursuant to Rule 25-30.475, F.A.C, and that within 90 days of the date of the Consummating Order, the Buyer has notified Commission staff in writing that it has adjusted its books in accordance with the Commission's Order approving the transfer.

By ORDER of the Florida Public Service Commission this 8th day of July, 2024.



ADAM J. TEITZMAN

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413-6770

www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

RPS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

As identified in the body of this order, our action establishing net book value, declining to make an acquisition adjustment, and revising miscellaneous service charges is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on July 29, 2024. If such a petition is filed, mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing. In the absence of such a petition, this order shall become effective and final upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

Any party adversely affected by the Commission's final action in this matter may request: (1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Office of Commission Clerk and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

Vantage Oak Utility, LLC

Okeechobee County

Wastewater Service Area

Serving Parts of Treasure Island and The Vantage Oaks RV Park

Township 37 South, Range 35 East

Section 25

Begin at the Northeast corner of Section 25, Township 37 South, Range 35 East. Thence run due South along the East line of said section a distance of about 1,690 feet. Thence run due West about 510 feet to the Point of Beginning (POB). Said point also, the Northeast corner of lot 153 of Treasure Island Unit 13. Thence continue due West a distance of 1,645.56 feet to the East Right of Way line of Everglades Blvd/S.E. 40th Avenue. Thence continue due West across Everglades Blvd/S.E. 40th Avenue a distance of 70 feet. Thence due South a distance of 35 feet. Thence due West a distance of 110 feet. Thence due South a distance of 35 feet. Thence North 88° West a distance of 830 feet. Thence South 41° East a distance of 1,195 feet. Thence due South 95 feet. Thence due West a distance of 1,205 feet. Thence due South a distance of 330 feet. Thence due East a distance of 1,352 feet to the West Right of Way line of S.E. 40th Avenue. Thence continue due East across S.E. 40th Avenue a distance of 70 feet. Thence continue due East a distance of 1,050 feet to Mosquito Creek. Thence along Mosquito Creek the following 10 courses to the Northeast corner of the Vantage Oaks Development. 1) North 49° East a distance of 50 feet. 2) North 19° East a distance of 45 feet. 3) North 62° East a distance of 80 feet. 4) North 78° East a distance of 70 feet. 5) North 59° East a distance of 60 feet. 6) North 39° East a distance of 100 feet. 7) North 64° East a distance of 180 feet. 8) North 44° East a distance of 80 feet. 9) North 19° East a distance of 60 feet. 10) North 27° West a distance of 70 feet, (or meander along Mosquito Creek about 760 feet to the Northeast corner of the Vantage Oaks Development.) Thence the following 5 courses to the POB. 1) East a distance of 30 feet. 2) North 25° West a distance of 195 feet. 3) North 5° East a distance of 291 feet. 4) North 6° East a distance of 295 feet. 5) North 24° East a distance of 159 feet to the POB.

FLORIDA PUBLIC SERVICE COMMISSION

Authorizes

Vantage Oaks Utility, LLC

pursuant to

Certificate Number 537-S

to provide wastewater service in Okeechobee County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rule, regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-05-0498-FOF-SU	05/05/2005	20040801-SU	Grandfather Certificate
PSC-07-0789-PAA-SU	09/27/2007	20070074-SU	Rate Increase
PSC-2024-0225-PAA-SU	07/08/2024	20230111-SU	Transfer

Vantage Development Corporation
Schedule of Net Book Value as of June 30, 2022

<u>Description</u>	<u>Balance Per</u>	<u>Adjustments</u>	<u>Comm.</u>
	<u>Utility</u>		<u>Approved</u>
Utility Plant in Service	\$336,868	\$1,264	\$338,132
Land & Land Rights	10,350	-	10,350
Accumulated Depreciation	(333,201)	42,128	(291,073)
CIAC	(135,538)	-	(135,538)
Amortization CIAC	<u>135,538</u>	=	<u>\$135,538</u>
Total	<u>\$14,017</u>	<u>\$43,392</u>	<u>\$57,409</u>

Adjustments to Net Book Value as of June 30, 2022

Explanation

Utility Plant in Service	
To reflect appropriate amount of plant in service.	<u>\$1,264</u>
Accumulated Depreciation	
To reflect appropriate amount of accumulated depreciation.	<u>\$42,128</u>

Vantage Development Corporation
Schedule of Approved
Account Balances as of June 30, 2022

<u>Account</u>			<u>Accumulated</u>
<u>No.</u>	<u>Description</u>	<u>UPIS</u>	<u>Depreciation</u>
354	Structures & Improvements – Fence	\$326,099	(\$280,221)
355	Power Generation Equipment	1,348	(1,348)
362	Special Collecting Structures	2,596	(2,169)
364	Flow Measuring Devices	2,068	(2,068)
380	Treatment & Disposal Equipment - Blower	6,021	(5,297)
	Total	<u>\$338,132</u>	<u>(\$291,073)</u>

**The Vantage Oaks Utility, LLC.
Monthly Wastewater Rates**

Residential Service

All Meter Sizes \$18.15

Charge Per 1,000 gallons – Residential
6,000 gallon cap \$3.09

General Service

Flat Rate \$1,742.96

Base Facility Charge \$2,322.41
RV Park Lots
(128 ERCs)

Charge per 1,000 gallons
1,026,000 gallons cap \$3.09

Initial Customer Deposits

	Residential Service	General Service
All Meter Sizes	\$70.00	2x average estimated bill