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Florida Supreme Court Certified Circuit Civil Mediator

July 10, 2019

Public Service Commission
C/O Mr. Andrew King, Senior Attorney
aking@psc.state.fl.us
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

RE: Docket No: 20190094-EU Petition for variance or waiver of Rule 25-6.049(5) and (6),
FAC, by Calypso Tower III LLC

Dear Mr. King:

Following up from my previous response to your letter dated June 13, 2019, I am providing the following information, completing the recent request for information as follows: (1 -5)

1. At this time, my client will not be applying for a public lodging license because the building is under construction, not completed. Additionally, pursuant to the current condominium documents of record with the DBPR, of which a copy has been previously provided, Tower III is a part of a Multi-Condominium (3 Towers) development. Per paragraph 7 of the Prospectus, Article XI & XVI of the Declaration of Condominium and the Community Property Agreement, which is exhibit L of the prospectus, the management of the facility will eventually be accomplished by the Resort, as a collective.
2. See answer 1 above, as if restated herein responsive to this question.
3. It has not closed on any of the sales as the building is under construction at this time. As soon as a certificate of occupancy is issued, closings will occur.
4. Yes. The daily operations will be accomplished via a management company. The company currently managing Towers I and II, or a similar company, will accomplish these tasks.
5. They will conserve energy by utilizing best practices to ensure that all electrical components are turned off manually or functioning as engineered to turn off automatically upon the absence of human traffic over a certain period of time. In other words, the motion sensors will be working and inspected regularly to ensure proper working status.
6. As additional information, I have been informed from the electrical company that will provide the building with its energy needs, Gulf Power (and/or its successor company), that the answer provided in my June 5 letter, paragraph 8, is accurate. The GSD rate is only available for customers that qualify and use less than 500KW. We have 250 units in our building and the minimum average usage per unit is 5 KW. This minimum calculation would far exceed the "less than 500KW GSD rates", and therefore LP would apply. To be fair, this LP rate may not apply during the first few months of occupancy,

since the owners and their guest will just begin to be occupying the building after the initial closings. During this initial, but brief period, it is probably more accurate to say that GSD would apply.

As always, should you have any questions, please do not hesitate to reply.

Sincerely,



Richard S. Johnson

RSJ/nm
cc: client