

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of CPI Citrus Park
Utility TRS, L.L.C. for Water and
Wastewater Certificates in Lee County,
Florida

Docket No.: 20190194-WS

Filed: January 14, 2020

CPI CITRUS PARK UTILITY TRS, L.L.C.'S
NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

CPI Citrus Park Utility TRS, L.L.C. (the "Utility"), by and through its undersigned counsel, and pursuant to Section 367.156, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, submits this Notice of Intent to Request Confidential Classification for the Utility's response to Item No. 5 of the attached letter dated November 21, 2019, from Commission staff. The documents responsive to Item No. 5 contain confidential financial information of the Utility's affiliate, the public disclosure of which would cause harm to the affiliate's and the Utility's business operations. The affiliate maintains this information as confidential information, and the Utility attests that it has not otherwise been publicly disclosed.

In accordance with Rule 25-22.006(3), Florida Administrative Code, the Utility will file its Request for Confidential Classification of the information referenced herein as soon as possible but in no event later than twenty-one (21) days of the filing of this request.

Respectfully submitted this 14th day of January, 2020.

HOLLAND & KNIGHT LLP

By: /s/ D. Bruce May, Jr.

D. Bruce May, Jr.

Florida Bar No. 354473

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Facsimile: (850) 224-8832

*Attorneys for the Utility Citrus Park Utility
TRS, L.L.C.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via
electronic mail this 14th day of January, 2020 to:

Florida Public Service Commission
Office of the General Counsel
Bianca Lherisson (blheriss@psc.state.fl.us)
Kristen Simmons (ksimmons@psc.state.fl.us)

/s/ D. Bruce May, Jr.
D. Bruce May, Jr.

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STATE OF FLORIDA



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

Public Service Commission

November 21, 2019

D. Bruce May, Jr.
Holland & Knight LLP
316 South Calhoun St., Suite 600
Tallahassee, FL 32301
bruce.may@hklaw.com

VIA EMAIL & US MAIL

Re: Docket No. 20190194-WS - Application for original water and wastewater certificates and approval of initial rates, charges and standard service agreements in Lee County, by CPI Citrus Park Utility TRS, L.L.C.

Dear Mr. May:

Florida Public Service Commission (Commission) staff has reviewed the application for an original certificate to provide water and wastewater service (application) submitted by CPI Citrus Park Utility TRS, L.L.C. (CPI, Applicant, or Utility) on October 23, 2019. After review, we find the application to be deficient. The specific deficiencies are identified as:

1. **Contact info.** Rule 25-30.033(1)(c), Florida Administrative Code (F.A.C.), requires the utility's name, address, telephone number, Federal Employer Identification Number, authorized representative, and, if available, email address and fax number. Please provide the Utility's email, fax number, and telephone number, if different from the telephone number provided for Mr. David Daniel, as a contact for the application.
2. **Address and percent ownership.** Rule 25-30.033(1)(e), F.A.C., requires the names, addresses, and percentage of ownership of each entity or person that owns or will own more than 5 percent interest in the utility. Please provide addresses and percentage of ownership of each person.
3. **Tax election.** Rule 25-30.033(1)(f), F.A.C., requires the election the business has made under the Internal Revenue Code for taxation purposes. Please provide a statement whether the Utility elected under IRS code ss1362 to be an S corporation.
4. **Financial statement.** Rule 25-30.033(1)(h)1., F.A.C., requires a detailed financial statement (balance sheet and income statement), audited if available, of the financial condition of the applicant, that shows all assets and liabilities of every kind and character.

The financial statements shall be for the preceding calendar or fiscal year. The Applicant provided a balance sheet for the year ending December 31, 2020. However, the Applicant needs to provide a balance sheet and income statement for the preceding calendar or fiscal year.

5. **List of entities.** Rule 25-30.033(1)(h)2., F.A.C., requires a list of all entities, including affiliates, upon which the applicant is relying to provide funding to the utility and an explanation of the manner and amount of such funding. The list need not include any person or entity holding less than 5 percent ownership interest in the utility. The applicant shall provide copies of any financial agreements between the listed entities and the utility and proof of the listed entities' ability to provide funding, such as financial statements. Please provide a list of all entities upon which the Applicant is relying to provide funding, and explanation of the manner and amount of such funding, and proof of the listed entities' ability to provide funding.
6. **Permits.** Rule 25-30.033(1)(i)2., F.A.C., requires the applicant to provide a copy of all current permits from the Department of Environmental Protection (DEP) and the water management district. The Applicant provided permits; however, they are all in the seller's name. Please provide documentation showing that the permits are being transferred to the Applicant.
7. **Reports.** Rule 25-30.033(1)(i)3., F.A.C., requires the applicant to provide a copy of the most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report. Please provide the most recent secondary standard test results.
8. **Service area.** Rule 25-30.033(1)(j)2., F.A.C., requires the applicant to provide a detailed system map showing the existing and proposed lines and treatment facilities, with the territory proposed to be served plotted thereon, consistent with the legal description provided pursuant to Rule 25-30.033(1)(j)1., F.A.C. Please provide detailed system maps for the water and wastewater systems showing the existing lines and treatment facilities owned and maintained by the Utility.
9. **Service area.** Rule 25-30.033(1)(j)3., F.A.C., requires the applicant to provide an official county tax assessment map, or other map showing township, range, and section with a scale such as 1" = 200' or 1" = 400', with the proposed territory plotted thereon, consistent with the legal description provided pursuant to Rule 25-30.033(1)(j)1., F.A.C. Please provide a map to scale showing the contiguous distance from a point commencing at a section corner to the point of beginning. In addition, please provide an accurate graphical representation of the scale.
10. **Land restrictions.** Rule 25-30.033(1)(k)4., F.A.C., requires the applicant to provide any known land use restrictions, such as environmental restrictions imposed by governmental authorities. Please provide any known land use restrictions.
11. **Notice of Application.** 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

D. Bruce May, Jr.
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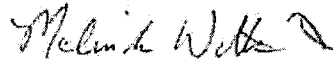
367.045(1)(e) and (2)(f), Florida Statutes, along with a copy of the notice, are filed with the Office of Commission Clerk, After staff has reviewed and approved the notice of application, and the notices have been distributed in accordance with Rule 25-30.030, F.A.C., please provide affidavits of noticing.

Your petition will not be deemed filed until the deficiencies identified in this letter have been corrected. These corrections should be submitted no later than **January 8, 2020**, to the following address:

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

Should you have any questions concerning the information in this letter, please feel free to contact Mrs. Melinda Watts by phone at (850) 413-6952 or by email at mwatts@psc.state.fl.us for technical questions, or Ms. Kristen Simmons by phone at (850) 413-6175 or by email at ksimmons@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,



Melinda Watts
Engineering Specialist
Florida Public Service Commission
Division of Engineering

MW/jp

cc: Office of Commission Clerk (Docket No. 20190194-WS)