

# Holland & Knight

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D. Bruce May, Jr.  
(850) 425-5607  
bruce.may@hklaw.com

February 21, 2020

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

Re: Docket 20190194-WS -- Application for original water and wastewater and approval of initial rates, charges and standard service agreements in Lee County, by CPI Citrus Park Utility TRS, L.L.C.

Dear Mr. Teitzman:

CPI Citrus Park Utility TRS, L.L.C. (the “Utility”) respectfully submits its responses to Commission Staff’s letter dated February 10, 2020 (“Staff Letter”), which identified certain deficiencies to the Utility’s application submitted on October 23, 2019. For ease of reference, the deficiencies set forth in the Staff Letter are repeated verbatim herein, with the Utility’s response immediately following each item.

1. **Financial statement.** Rule 25-30.033(1)(h)1., Florida Administrative Code (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. CPI provided a balance sheet for the year ending December 31, 2020. However, CPI needs to provide a balance sheet and income statement for the preceding calendar or fiscal year.

**Response: See Attachment “1.”**

2. **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. CPI provided a balance sheet for the outside entity. However, CPI needs to also provide an income statement for the outside entity.

**Response: On January 17, 2020, the Utility filed a letter of financial support from its Affiliate, along with a confidential balance sheet confirming that the Affiliate has the financial capacity to provide funding to the Utility. Therefore, the Utility respectfully submits it has complied with rule 25-30.033(1)(h)2., Florida Administrative Code.**

3. **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 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.

**Response: Appended as Attachment "2" is the Affidavit of Lila J. Unger attesting that a copy of the notice was mailed on February 19, 2020 to the entities on the list provided by staff and to the customers of the Utility. Notice of the application is scheduled for publication in *The News-Press* on February 21, 2020, and an affidavit of publication will be filed in this docket once the Applicant receives confirmation of publication from that newspaper.**

\* \* \*

Should you have any questions regarding this filing, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

HOLLAND & KNIGHT LLP



D. Bruce May, Jr.

DBM:kjg

Enclosures

cc: Melinda Watts  
Bianca Lherisson, Esq.  
Kristen Simmons, Esq.  
Mireille Fall-Fry, Esq.  
Steven Adler

# ATTACHMENT 1

**CPI Citrus Park Utility TRS, L.L.C.**  
**Balance Sheet**  
**December 31, 2019**

Line	NARUC		
No.	Acct.	Assets and Other Debits	
1	101	Utility Plant In Service	\$ 2,450,104
2	103	Property Held For Future Use	
3	104	Utility Plant Purchased or Sold	
4	105	Construction Work in Progress	
5	108	Accumulated Depreciation and Amortization of UPIS	\$ (1,468,857)
6	114	Utility Plant Acquisition Adjustments	
7	115	Accumulated Amortization of Utility Plant Acquisition Adjustments	
8	121	Nonutility Property	
9	122	Accumulated Depreciation and Amortization of Nonutility Property	
10	124	Utility Investments	
11	131	Cash	\$ 5,000
12	132	Special Deposits	
13	141	Customer Accounts Receivable	
14	143	Accumulated Provision of Uncollectible Accounts - CR	
15	151	Plant Material and Supplies	
16	174	Miscellaneous Current and Accrued Assets	
17	186	Miscellaneous Deferred Debits	
18	190	Accumulated Deferred Income Taxes	
19		<b>Total Assets and Other Debits</b>	<b><u>\$ 986,247</u></b>
20			
21		Equity Capital	
22	201	Common Stock Issued	
23	204	Preferred Stock Issued	
24	211	Other Paid In Capital	\$ 1,086,489
25	215	Retained Earnings	\$ (185,991)
26	218	Proprietary Capital	
27		Liabilities and Other Credits	
28	224	Long Term Debt	
29	231	Accounts Payable	11,455
30	232	Notes Payable	
31	235	Customer Deposits	
32	236	Accrued Taxes	
33	237	Accrued Interest	
34	241	Miscellaneous Current and Accrued Liab.	
35	252	Advances for Construction	
36	253	Other Deferred Credits	
37	255	Accumulated Deferred Investment Tax Credits	
38	265	Accumulated Deferred Investment Tax Credits	
39	271	Contributions in Aid of Construction (CIAC)	483,710
40	272	Accumulated Amortization of CIAC	(409,416)
41	281	Accumulated Deferred Income Taxes -Accelerated Amortization	
42	282	Accumulated Deferred Income Taxes -Liberalized Depreciation	
43	283	Accumulated Deferred Income Taxes - Other	
44		<b>Total Equity, Liabilities and Other Credits</b>	<b><u>\$ 986,247</u></b>

**CPI Citrus Park Utility TRS, L.L.C.**  
**Projected Net Operating Income**  
**December 31, 2019**

<b>Line No.</b>		
1	<b>Water</b>	
2	Operating Revenue	\$ -
3		
4	Operating Expenses	
5	Operation & Maintenance Expenses	\$ 66,333
6	Depreciation net of CIAC Amortization	17,273
7	Amortization	-
8	Taxes Other Than Income	6,067
9	Income Taxes (1)	-
10	Total Operating Expenses	<u>\$ 89,674</u>
11		
12	Net Operating Income (Loss)	<u><u>\$ (89,674)</u></u>
13		
14		
15	<b>Wastewater</b>	
16	Operating Revenue	\$ -
17		
18	Operating Expenses	
19	Operation & Maintenance Expenses	\$ 71,128
20	Depreciation net of CIAC Amortization	18,973
21	Amortization	-
22	Taxes Other Than Income	6,217
23	Income Taxes (1)	-
24	Total Operating Expenses	<u>\$ 96,318</u>
25		
26	Net Operating Income (Loss)	<u><u>\$ (96,318)</u></u>
27		

## **ATTACHMENT 2**

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

AFFIDAVIT

STATE OF FLORIDA)  
COUNTY OF LEON )

BEFORE ME, the undersigned authority, personally appeared LILA J. UNGER, who,  
after being duly sworn on oath, did depose on oath and says:

1. That I, LILA J. UNGER, am a paralegal with the law firm of Holland & Knight  
LLP.

2. That on February 19, 2020, in accordance with Section 367.045(1)(a), Florida  
Statutes, and Rule 25-30.030, Florida Administrative Code, I sent by regular United States mail,  
a copy of the attached Notice of Actual Application to each of the governmental bodies,  
agencies, utilities, councils, municipalities, and other entities appearing on the attached list  
provided by the Florida Public Service Commission.

FURTHER AFFIANT SAYETH NAUGHT.

*Lila J. Unger*  
\_\_\_\_\_  
Lila J. Unger  
Paralegal

SWORN TO and subscribed before me by means of  physical presence or  online  
notarization, this 21 day of February, 2020, by LILA J. UNGER, who did take an  
oath.

*Janna L. James*  
\_\_\_\_\_  
Notary Public  
JANNA L. JAMES

Personally Known   
Produced Identification \_\_\_\_\_  
Form of Identification \_\_\_\_\_

Print Name  
My Commission Expires: 7-5-2022



**NOTICE OF APPLICATION FOR ORIGINAL CERTIFICATE OF AUTHORIZATION AND INITIAL RATES  
AND CHARGES FOR WATER AND WASTEWATER SERVICE**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**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.**

**NOTICE**

Notice is hereby given on February 19, 2020, pursuant to Rule 25-30.030, Florida Administrative Code, and Section 367.045, Florida Statutes, of the application for original water and wastewater certificates of CPI Citrus Park Utility TRS, L.L.C. (the "Utility"), to provide water and wastewater service in the following described territories in Lee County, Florida, described in Attachment "A".

The Utility will provide wholesale water and wholesale wastewater service to the Citrus Park Mobile Home and RV Park, and wholesale water service to the Bell Villa Subdivision. The Utility's service area is west of Holly Road in Lee County, Florida.

The Utility's name and contact information are as follows:

CPI CITRUS PARK UTILITY TRS, L.L.C.  
12629 New Brittany Blvd.  
Bldg. #16  
Ft. Myers, Florida 33907  
CPICitrusParkUtility@gmail.com  
Ph.: 239-790-0044  
Fax: 239-275-0648

Any objection to the said application must be made in writing and filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to D. Bruce May, Jr., Esq., Holland & Knight LLP, 315 S. Calhoun Street, Suite 600, Tallahassee, Florida 32301, within thirty (30) days from the date of this notice. The objection must state the grounds for the objection with particularity.

## ATTACHMENT "A"

### WATER SERVICE TERRITORY LEGAL DESCRIPTION

THE EAST 150 FEET OF THE WEST 1120 FEET OF THE NORTH 260 FEET OF SECTION 19, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHWEST CORNER OF SAID SECTION 19 RUN N89°16'57"E ALONG THE NORTH LINE OF SAID SECTION 19 FOR A DISTANCE OF 970.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N89°16'57"E ALONG SAID NORTH LINE FOR A DISTANCE OF 150.00 FEET; THENCE LEAVING SAID NORTH LINE RUN S01°00'52"E ALONG A LINE 1120 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 19 FOR A DISTANCE OF 260.00 FEET; THENCE RUN S89°16'57"W ALONG A LINE 260 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 19 FOR A DISTANCE OF 150.00 FEET; THENCE RUN N01°00'52"W ALONG A LINE 970 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 19 FOR A DISTANCE OF 260.00 FEET TO THE POINT OF BEGINNING.

SAID LAND CONTAINING 39,000.52 SQUARE FEET OR 0.90 ACRES MORE OR LESS.

### WASTEWATER SERVICE TERRITORY LEGAL DESCRIPTION

THE WEST 440 FEET OF THE SOUTH 1070 FEET OF THE NORTH 1310 FEET OF SECTION 19, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHWEST CORNER OF SAID SECTION 19 RUN S01°00'52"E ALONG THE WEST LINE OF SAID SECTION 19 FOR A DISTANCE OF 240.00 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID WEST LINE RUN N89°16'57"E ALONG A LINE 240 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 19 FOR A DISTANCE OF 440.01 FEET; THENCE RUN S01°00'52"E ALONG A LINE 440 FEET EAST OF AND PARALLEL TO THE SAID WEST LINE FOR A DISTANCE OF 1070.01 FEET; THENCE RUN S89°16'57"W ALONG A LINE 1370 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 19 FOR A DISTANCE OF 440.01 FEET; THENCE RUN N01°00'52"W ALONG SAID WEST LINE FOR A DISTANCE OF 1070.01 FEET TO THE POINT OF BEGINNING.

SAID LAND CONTAINING 470,806.33 SQUARE FEET OR 10.81 ACRES MORE OR LESS.

**LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY  
(VALID FOR 60 DAYS)  
02/07/2020 - 04/06/2020**

UTILITY NAME

MANAGER

LEE COUNTY

BUCCANEER WATER SERVICE (WU730)  
C/O EQUITY LIFESTYLE PROPERTIES, INC.  
TWO NORTH RIVERSIDE PLAZA, SUITE 800  
CHICAGO, IL 60606-2682

KATHERINE JARONCZYK  
(312) 279-1436

ENVIRONMENTAL PROTECTION SYSTEMS OF PINE ISLAND, INC. (SU287)  
3039 YORK ROAD  
ST. JAMES CITY, FL 33956-2303

KEVIN J. CHERRY  
(239) 283-1144

FOREST UTILITIES, INC. (SU293)  
6000 FOREST BLVD.  
FORT MYERS, FL 33908-4318

DAVID SWOR  
(239) 481-0111

MOBILE MANOR WATER COMPANY, INC. (WU167)  
4560 VIA ROYALE, #1  
FORT MYERS, FL 33919

RICHARD GRIFFITH , SR.  
(239) 543-1414

NI FLORIDA, LLC (WU920)  
P. O. BOX 290910  
COLUMBIA, SC 29228-0016

BENNY WILKINSON  
(713) 574-7772

USEPPA ISLAND UTILITY, INC. (WS249)  
P. O. BOX 640  
BOKEELIA, FL 33922-0640

TIM FITZSIMMONS  
(239) 283-1061

UTILITIES, INC. OF FLORIDA (SU749)  
200 WEATHERSFIELD AVENUE  
ALTAMONTE SPRINGS, FL 32714-4027

PATRICK C. FLYNN  
(866) 842-8432 EXT 1359

**LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY  
(VALID FOR 60 DAYS)  
02/07/2020 - 04/06/2020**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, LEE COUNTY  
P. O. BOX 398  
FT. MYERS, FL 33902-0398

CLERK OF THE CIRCUIT COURT, LEE COUNTY  
P. O. BOX 2469  
FORT MYERS, FL 33902-2469

DEP SOUTH DISTRICT  
2295 VICTORIA AVE., SUITE 364  
FORT MYERS, FL 33901

MAYOR, CITY OF CAPE CORAL  
P. O. BOX 150027  
CAPE CORAL, FL 33915-0027

MAYOR, CITY OF FT. MYERS  
P. O. BOX 2217  
FORT MYERS, FL 33902-2217

MAYOR, CITY OF SANIBEL  
800 DUNLOP ROAD  
SANIBEL, FL 33957-4021

S.W. FLORIDA REGIONAL PLANNING COUNCIL  
1926 VICTORIA AVENUE  
FT. MYERS, FL 33901

SO. FLORIDA WATER MANAGEMENT DISTRICT  
P.O. BOX 24680  
WEST PALM BEACH, FL 33416-4680

**LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY  
(VALID FOR 60 DAYS)  
02/07/2020 - 04/06/2020**

UTILITY NAME

STATE OFFICIALS

MANAGER

OFFICE OF PUBLIC COUNSEL  
111 WEST MADISON STREET  
SUITE 812  
TALLAHASSEE, FL 32399-1400

OFFICE OF COMMISSION CLERK  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

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AFFIDAVIT

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BEFORE ME, the undersigned authority, personally appeared LILA J. UNGER, who,  
after being duly sworn on oath, did depose on oath and says:

1. That I, LILA J. UNGER, am a paralegal with the law firm of Holland & Knight  
LLP.

2. That on February 19, 2020, in accordance with Section 367.045(1)(a), Florida  
Statutes, and Rule 25-30.030, Florida Administrative Code, I sent by regular United States mail,  
a copy of the attached Notice of Actual Application to each of the prospective customers to be  
served by CPI Citrus Park Utility TRS, L.L.C, as set forth in the prospective customer list  
attached hereto.

FURTHER AFFIANT SAYETH NAUGHT.

*Lila J. Unger*  
\_\_\_\_\_  
Lila J. Unger  
Paralegal

SWORN TO and subscribed before me by means of  physical presence or  online  
notarization, this 21 day of February, 2020, by LILA J. UNGER, who did take an  
oath.

*Janna L. James*  
\_\_\_\_\_  
Notary Public  
JANNA L. JAMES  
\_\_\_\_\_  
Print Name  
My Commission Expires: 7-5-2020

Personally Known   
Produced Identification \_\_\_\_\_  
Form of Identification \_\_\_\_\_



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CPICitrusParkUtility@gmail.com  
Ph.: 239-790-0044  
Fax: 239-275-0648

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CITRUS PARK MOBILE HOME AND RV PARK  
25581 TROST BLVD  
BONITA SPRINGS, FL 34135

BELL VILLA PROPERTY OWNERS ASSOCIATION, INC.  
12292 CASALS LANE  
BONITA SPRINGS, FL 34135