

FLORIDA PUBLIC SERVICE COMMISSION

Item 6

VOTE SHEET

March 1, 2022

FILED 3/1/2022  
DOCUMENT NO. 01528-2022  
FPSC - COMMISSION CLERK

**Docket No. 20210095-WU** – Application for transfer of water facilities of Sunshine Utilities of Central Florida, Inc. and water Certificate No. 363-W to CSWR-Florida Utility Operating Company, LLC, in Marion County.

**Issue 1:** Should the transfer of Certificate No. 363-W in Marion County from Sunshine Utilities of Central Florida, Inc. to CSWR-Florida Utility Operating Company, LLC be approved?

**Recommendation:** Yes. The transfer of the water system and Certificate No. 363-W is in the public interest and should be approved effective the date that the sale becomes final. The resultant Order should serve as the Buyer’s certificate and should be retained by the Buyer. The Buyer should submit the executed and recorded deed for continued access to the land upon which its facilities are located and copies of its permit transfer applications to the Commission within 60 days of the Order approving the transfer, which is final agency action. If the sale is not finalized within 60 days of the resultant Order, the Buyer should file a status update in the docket file. The Utility’s existing rates and charges, including the modification to miscellaneous service charges pursuant to Rule 25-30.460, Florida Administrative Code (F.A.C.), should remain in effect until a change is authorized by the Commission in a subsequent proceeding. The tariff pages reflecting the transfer should be effective on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), F.A.C. The Seller is current with respect to annual reports and regulatory assessment fees (RAFs) through December 31, 2020. The Buyer should be responsible for filing annual reports and paying RAFs for all future years.

**APPROVED**

**COMMISSIONERS ASSIGNED:** All Commissioners

**COMMISSIONERS’ SIGNATURES**

**MAJORITY**

**DISSENTING**

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**REMARKS/DISSENTING COMMENTS:**

*Commissioner Clark dissents*

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**Issue 2:** What is the appropriate net book value for the CSWR-Sunshine water system for transfer purposes?

**Recommendation:** For transfer purposes, the net book value (NBV) of the water system is \$248,089 as of May 31, 2021. Within 90 days of the date of the Consummating Order, CSWR-Sunshine should be required to notify the Commission in writing, that it has adjusted its books in accordance with the Commission’s decision. The adjustments should be reflected in CSWR-Sunshine’s 2022 Annual Report when filed.

**APPROVED**

**Issue 3:** Should a positive acquisition adjustment be recognized for ratemaking purposes?

**Recommendation:** No. Pursuant to Rule 25-30.0371, F.A.C., a positive acquisition adjustment should not be granted as CSWR-Sunshine failed to demonstrate extraordinary circumstances.

**APPROVED**

**Issue 4:** Should this docket be closed?

**Recommendation:** Yes. If no protest to the proposed agency action is filed by a substantially affected person within 21 days of the date of the issuance of the Order, a Consummating Order should be issued and the docket should be closed administratively upon Commission staff’s verification that the revised tariff sheets have been filed, the Buyer has notified the Commission in writing that it has adjusted its books in accordance with the Commission’s decision, that the Buyer has submitted the executed and recorded warranty deed and that the Buyer has submitted copies of its applications for permit transfers to the DEP and the SJRWMD, within 60 days of the Commission’s Order approving the transfer, which is final agency action.

**APPROVED**