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DIVISION OF ENGINEERING
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Public Service Commission

October 31, 2023

F. Marshall Deterding, Esq.
Sundstrom & Mindlin, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
mdeterding@sfflaw.com

VIA EMAIL

Re: Docket No. 20230111-SU - Application for authority to transfer wastewater facilities and Certificate No. 537-S in Okeechobee County from The Vantage Development Corporations to Vantage Oaks Utility, LLC.

Dear Mr. Deterding:

Staff has reviewed Vantage Oaks Utility, LLC's (Vantage Oaks or Buyer) application for transfer of Certificate No. 537-S from The Vantage Development Corporation. (Seller or Utility) to Vantage Oaks. After reviewing this information we find the application to be deficient. The specific deficiencies are identified as:

1. **Notice of Application.** Rule 25-30.030(6), Florida Administrative Code (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. In accordance with Rules 25-30.030(5)(c) and (6), F.A.C., please provide an affidavit of publication in a newspaper of general circulation in the proposed service area along with a copy of the notice.
2. **Percentage of Ownership.** Rule 25-30.037(2)(g), F.A.C., states the applicant shall provide the name(s), address(es) and percentage of ownership of each entity or person that owns or will own more than a 5 percent interest in the utility. Please provide the name and address of the Manager listed in Vantage Oaks' application who owns 100 percent interest in the utility.
3. **Financial Statements.** Rule 25-30.037(2)(l)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. While the Utility has filed the balance sheet for the related entity providing financial support, the Rule also requires an income statement be filed as well. Please provide the

current income statement of the related entity. The income statement may be filed confidentially.

4. **DEP Compliance.** Rule 25-30.037(2)(r)(l) and (2), F.A.C., states the applicant shall provide a copy of the utility's current permits from the Florida Department of Environmental Protection (DEP). The provided DEP permit for Vantage Oaks wastewater treatment facility is dated September 25, 2018, with an expiration date of September 24, 2023. Please provide the most recent DEP permit for the wastewater treatment plant.

Your application will not be deemed filed until the deficiencies identified in this letter have been corrected. These corrections should be submitted no later than **November 30, 2023**, 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 Emily Knoblauch by phone at (850) 413-6632 or email eknoblau@psc.state.fl.us for technical questions, or Austin Watrous by phone at (850) 413-6904 or email awatrous@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,



Emily Knoblauch
Engineering Specialist
Division of Engineering

EK:mr

cc: Office of Commission Clerk (Docket No. 20230111-SU)