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DIVISION OF ENGINEERING
TOM BALLINGER
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(850) 413-6910

Public Service Commission

January 20, 2026

Mr. Theodore R. Walters, Esq.
Mr. Tristan T. Cavanaugh, Esq.
Mr. Joshua Bialek, Esq.
Porter, Wright, Morris & Arthur LLP
9132 Strada Place, Third Floor
Naples, FL 34108
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VIA EMAIL

Re: Docket No. 20250146-WS - Joint application for transfer of water and wastewater facilities, water Certificate No. 354-W and wastewater Certificate No. 310-S of Useppa Island Utilities Company, Inc. to UIP Utilities Company, LLC, in Lee County.

Dear Messrs. Walters, Cavanaugh, and Bialek:

Staff has reviewed the application to transfer Certificate Nos. 354-W and 310-S from Useppa Island Utilities Company, Inc. (Seller) to UIP Utilities Company LLC (Buyer) filed on December 18, 2025, and found it to be deficient. The specific deficiencies are identified as:

1. **Notice of Application.** Rule 25-30.030(4), Florida Administrative Code (F.A.C.), states that all notices are required to meet the requirements detailed, including those detailed in subsections (d) and (f), which require the notice to contain the docket number and docket title, and a disclosure that the legal description has been simplified and that a complete legal description can be obtained from the applicant, respectively. The provided notice does not include the docket number or the legal description disclosure and therefore does not meet the requirements of 25-30.030(4), F.A.C. Please provide a revised notice of application that meets these requirements.
2. **Proof of Noticing.** Rule 25-30.037(2)(b), F.A.C., requires proof of noticing pursuant to Rule 25-30.030(6), F.A.C., which 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. Staff notes that this deficiency cannot be corrected until the notice has been approved by staff in accordance with Rule 25-30.030(4), F.A.C. Upon the issuance of the notice, please provide proof of noticing pursuant to Rule 25-30.030, F.A.C.

Mr. Theodore R. Walters, Esq.
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3. **Seller Information.** Rule 25-30.037(2)(c), F.A.C., states that the application shall provide the specified contact and identification information about the seller, including the certificated name of the seller. The provided Seller Utility name does not match the certificated name. If the Seller name is the correct name, please explain the discrepancy between the certificated name and Seller name.
4. **Federal Income Tax Return.** Rule 25-30.037(2)(p), F.A.C., states that the applicant shall provide a statement from the buyer that it has obtained or will obtain copies of all of the federal income tax returns of the seller from the date the utility was first established or the rate base was last established by the Commission, whichever is later. If the tax returns have not been obtained, provide a description of the steps taken to obtain the tax returns. Please provide a description of the steps the Buyer has taken to obtain the tax returns.
5. **DEP Correspondence.** Rule 25-30.037(2)(r)(3), F.A.C., states that the applicant shall provide copies of documentation from the Florida Department of Environmental Protection (DEP) of all of the utility's correspondence with the DEP, county health department, and water management district, including consent orders and warning letters, and the utility's responses to the same, for the past five years. While links to DEP facility public document searches were provided, this does not satisfy the requirements of the Rule. Please provide copies of the correspondence from the DEP.
6. **Tariffs.** Rule 25-30.037(2)(u), F.A.C., states that the tariff sheets should reflect any changes resulting from the transfer. In the filed application, the Buyer provided the existing tariff, which does not indicate a change in ownership. Please provide tariff sheets indicating the change in name and issuing officer.

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 **Wednesday, February 4, 2026**, to the following address:

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

Mr. Theodore R. Walters, Esq.
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Mr. Joshua Bialek, Esq.
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Should you have any questions concerning the information in this letter, please feel free to contact Orlando Wooten by phone at (850) 413-6686 or email at owooten@psc.state.fl.us for technical questions, or Zachary Bloom by phone at (850) 413-6524 or email at ZBloom@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,

s/ Orlando Wooten

Orlando Wooten
Engineering Specialist
Division of Engineering

OW:da

cc: Office of Commission Clerk (Docket No. 20250146-WS)