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**DANIEL PEREZ**  
*Speaker of the House of Representatives*

January 29, 2026

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

**RE: Office of Public Counsel and Leighton Estates Utilities, LLC Settlement Agreement**

Dear Mr. Teitzman:

Enclosed is the Joint Motion Requesting Commission Approval of Settlement Agreement and a Settlement Agreement submitted by the Office of Public Counsel and Leighton Estates Utilities, LLC. Please docket this filing so that it may be considered for attention at your earliest opportunity.

Please do not hesitate to contact me with any questions.

Sincerely,

/s/ Charles J. Rehwinkel  
Charles J. Rehwinkel  
Deputy Public Counsel  
Florida Bar No.: 527599  
[rehwinkel.charles@leg.state.fl.us](mailto:rehwinkel.charles@leg.state.fl.us)  
(850) 488-9330

cc: Mike Smallridge  
Cassie Gatlin  
Matt Vogel

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Disposition of 2026 Overearnings for  
Leighton Estates Utilities, LLC.

Docket No. 2026 \_\_\_\_\_

Filed: January 29, 2026

**JOINT MOTION REQUESTING COMMISSION APPROVAL OF SETTLEMENT  
AGREEMENT**

The Office of Public Counsel ("OPC"), on behalf of the Citizens of the State of Florida ("Citizens") and Leighton Estates Utilities, LLC (Leighton), pursuant to Section 367.081 and Section 120.57(4), Florida Statutes, and Rule 28-106.301, Florida Administrative Code, file this Joint Motion respectfully requesting the Florida Public Service Commission ("Commission") to approve the Settlement Agreement, attached as Exhibit "A", as provided in this motion. In support of the Joint Motion, the OPC and Leighton (the "Parties") state:

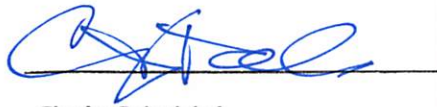
1. The OPC identified possible 2025 overearnings based upon the review of the 2024 Annual Report of Leighton.
2. The Parties exchanged data regarding Leighton potential earnings above the maximum allowed returned on equity (ROE), and conducted discussions related to earnings data provided by Leighton to the OPC.
3. To avoid the time, expense and uncertainty associated with adversarial litigation, and in keeping with the Commission's long-standing policy and practice of encouraging parties to settle issues whenever possible, the OPC and Leighton have entered into a Settlement Agreement.
4. This Settlement Agreement resolves the disposition of 2025 overearnings for Leighton.

5. The Parties agree that this Settlement Agreement is in the public interest. The provisions of this Settlement Agreement are contingent on approval of this Settlement Agreement in its entirety by the Commission without modification.

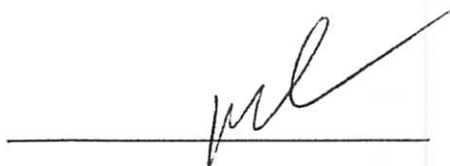
6. The Parties request expedited review and approval of this Settlement Agreement at the March 3, 2026, Commission Agenda Conference.

WHEREFORE, the OPC and Leighton respectfully request the Commission approve this Settlement Agreement.

Respectfully submitted this 29th day of January, 2026.



Charles Rehwinkel  
Deputy Public Counsel  
Office of Public Counsel



Mike Smallridge  
Managing Member  
Leighton Estates Utilities, LLC

**Exhibit "A"**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Disposition of 2026 Overearnings for  
Leighton Estates Utilities, LLC:

Docket No. 2026 \_\_\_\_\_

Filed: January 29, 2026

\_\_\_\_\_ /

**SETTLEMENT AGREEMENT**

THIS SETTLEMENT AGREEMENT is made and entered into this 29th day of January, 2026, by and between Leighton Estates Utilities, LLC. (hereafter referred to as "Leighton"), and the Office of Public Counsel ("OPC"), on behalf of the Citizens of the State of Florida ("Citizens") and customers of Leighton (hereafter, "Parties").

**WITNESSETH**

WHEREAS, the OPC identified possible 2025 overearnings based upon the review of the 2024 Annual Report of Leighton;<sup>1</sup>

WHEREAS, on December 12, 2025, a conference call meeting between the staff of the Florida Public Service Commission ("Commission" or "FPSC") and the OPC were held to discuss the possible overearnings of Leighton and other utilities;

WHEREAS, on January 8, 2026, staff of the FPSC inquired whether Leighton had reached out to the OPC regarding the amount of overearnings and a voluntary rate reduction;

WHEREAS, on January 20-21, 2026, the Parties conducted further discussions and evaluation of additional data provided by Leighton to OPC on such overearnings;

<sup>1</sup> See Document No. 15204-2025 - OPC (Fletcher) - Letter dated 11/21/25, providing summary of review of possible WAW overearning for reporting year 2024 for Kirby D. Morgan, Inc., and Lake Yale Utilities, LLC for wastewater, and Leighton Estates Utilities, LLC, and Ni Florida, Inc. for water.

WHEREAS, the Parties to this Agreement have undertaken in good faith to reasonably and amicably resolve the issues raised in this proceeding so as to maintain a degree of fairness, stability and predictability with respect to customer bills;

WHEREAS, the Parties have entered into this Settlement Agreement in compromise of positions that could be taken in accord with their rights and interests under Chapters 350 and 367, Florida Statutes, as applicable, and, as a part of the negotiated exchange of consideration among the parties to this agreement, each has agreed to concessions to the others with the expectation that all provisions of this Settlement Agreement will be enforced by the Commission as to all matters addressed herein with respect to all parties regardless of whether a court ultimately determines such matters to reflect Commission policy, upon acceptance of the agreement as provided herein and upon approval in the public interest; and

NOW THEREFORE, the parties agree to the following:

1. **Leighton Estates Utilities, LLC**: Leighton Estate Utilities, LLC (Leighton) agrees to reduce its base facility charge and gallonage charges by 11.60%. In addition, Leighton also agrees to refund via credit on its customers' accounts 11.60% of water revenues billed from January 1, 2026 until the effective date of the rate reduction. The refunds shall be made pursuant to Rule 25-30.360(3), Florida Administrative Code. This refund credit shall be based upon each individual customer's billed amounts from January 1, 2026 until the effective date of the rate reduction.


2. In keeping with the Commission's long-standing policy and practice of encouraging parties to settle issues whenever possible, the Parties submit this Settlement Agreement for review and approval. The Parties agree that this Settlement Agreement is in the public interest. The provisions of this Settlement Agreement are contingent on approval of this Settlement Agreement in its entirety by the Commission without modification. The Parties further agree that they will support

this Settlement Agreement and will not request or support any order, relief, outcome, or result in conflict with the terms of this Settlement Agreement in any administrative or judicial proceeding relating to, reviewing, or challenging the establishment, approval, adoption, or implementation of this Settlement Agreement or the subject matter hereof. No Party will assert in any proceeding before the Commission that this Settlement Agreement nor any of the terms herein shall have any precedential value nor may it be used in any other proceeding. To the extent a dispute arises among the parties about the provisions, interpretation, or application of this agreement, the parties agree to meet and confer in an effort to resolve the dispute. To the extent that the Parties cannot resolve any dispute, the matter may be submitted to the Commission for resolution. Approval of this Settlement Agreement in its entirety will resolve all matters and issues discussed herein pursuant to and in accordance with Section 120.57(4), Florida Statutes. This docket should be closed administratively after Commission staff verifies the revised tariff sheets, customer notices have been mailed, and refunds have been made.

IN WITNESS WHEREOF, the Parties evidence their acceptance and agreement with the provisions of this Settlement Agreement by their signature.

**OFFICE OF PUBLIC COUNSEL**

Date: 1.29.2026

By: 

Charles Rehwinkel;  
Deputy Public Counsel

Attorney for the Citizens  
of the State of Florida

**LEIGHTON ESTATES UTILITIES**

Date: 1-29-26

By: 

Mike Smallridge;  
Managing Member

Leighton Estates Utilities, LLC