

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of CPI Citrus Park Utility TRS, L.L.C.'s water and wastewater facilities, in Lee County, to Bonita Springs Utilities, Inc., an exempt entity under Section 367.022(7), F.S., and cancellation of Certificate Nos. 675-W and 576-S.

DOCKET NO. 20260027-WS
ORDER NO. PSC-2026-0287-FOF-WS
ISSUED: August 24, 2026

The following Commissioners participated in the disposition of this matter:

GABRIELLA PASSIDOMO SMITH, Chairman
GARY F. CLARK
MIKE LA ROSA
BOBBY PAYNE
ANA ORTEGA

ORDER APPROVING TRANSFER OF CPI CITRUS PARK UTILITY TO BONITA SPRINGS
UTILITIES AND CANCELLATION OF CERTIFICATE NOS. 675-W AND 576-S

BY THE COMMISSION:

Background

CPI Citrus Park Utility TRS, L.L.C. (CPI or Utility) is located in Lee County, Florida. The Utility provides water and wastewater service to the Citrus Park Mobile Home and RV Park (Citrus Park), which serves approximately 1,531 residential mobile home customers with associated common area buildings. The Utility also provides water service via master meter to the Bell Villa Property Owners Association, Inc., which serves approximately 127 residential lots in the Bell Villa Subdivision. The water system was built in 1989, and the wastewater system was built in 1988. In its 2025 Annual Report, CPI reported a net operating loss of \$186,351. In 2020, we issued water and wastewater Certificate Nos. 675-W and 576-S to CPI.¹

On February 19, 2026, CPI filed its application for transfer of water and wastewater facilities to Bonita Springs Utilities, Inc. (BSU or Buyer), an exempt entity under Section 367.022(7), Florida Statutes (F.S.), and cancellation of Certificate Nos. 675-W and 576-S. Our staff found the initial application to be deficient and issued a deficiency letter on March 19, 2026.² Deficiencies were resolved on June 2, 2026.³

¹ Order No. PSC-2020-0263-PAA-WS, issued July 27, 2020, in Docket No. 20190194-WS, *In re: 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.*

² Document No. 01651-2026, filed March 19, 2026.

³ Document No. 03306-2026, filed June 2, 2026.

This order addresses the transfer of CPI's water and wastewater facilities to BSU, an exempt entity, and the cancellation of Certificate Nos. 675-W and 576-S. We have jurisdiction over this matter pursuant to Sections 367.071 and 367.022, F.S.

Decision

Legal Standard

Transfers of certificates are governed by Section 367.071, F.S., and by Rule 25-30.037, Florida Administrative Code (F.A.C.). The statute provides that we may approve the transfer if it is in the public interest and the transferee will fulfill the commitments, obligations, and representations of the utility. To demonstrate that the transferee can do so, the rule requires the transferee to show the financial and technical ability to operate the utility.

Analysis

On February 19, 2026, CPI filed an application for the transfer of its water and wastewater facilities to BSU, an exempt entity, and the cancellation of Certificate Nos. 675-W and 576-S.

Pursuant to Section 367.022(7), F.S., the Buyer is an exempt entity that is not subject to our regulation, as BSU is a nonprofit cooperative providing service solely to members who own and control the cooperative. Following the transfer to BSU, Citrus Park will retain the local distribution system and provide water and wastewater services to tenants of the mobile home park. Pursuant to Section 367.022(9), F.S., Citrus Park would provide these services at a price that does not exceed the actual purchase price of the water and wastewater service, plus the actual cost for metering and billing not to exceed 9% of the actual cost of service and would therefore be considered exempt from our regulation. We reviewed the application and find that it is in compliance with Section 367.071, F.S., and Rule 25-30.037(5), F.A.C., concerning applications for transfer of a regulated utility to an exempt entity other than a governmental authority.

BSU and Citrus Park shall be put on notice that, if there is a change in circumstance or method of operation or billing practices which causes either utility to no longer qualify for exemption, pursuant to Section 367.022, F.S., they shall inform us within 90 days. CPI's territory description and Certificate Nos. 675-W and 576-S are contained in Attachment A to this order.

Application and Noticing

In accordance with Rule 25-30.037(5), F.A.C., CPI provided a filing fee of \$3,000 with its application and provided notice of the application in compliance with Rule 25-30.030, F.A.C.⁴ The initial application also included the purchase agreement, which provides that a transfer is contingent upon our approval and that closing will occur within 30 days of such approval. However, the Utility filed an addendum to the purchase agreement revising the closing date to

⁴ Document Nos. 01246-2026, filed February 23, 2026, and 03306-2026, filed June 2, 2026.

occur within three days of our approval.⁵ The application stated that the Seller did not maintain customer deposits; therefore, no refunds of customer deposits are required. The application also contained statements regarding the Utility's compliance in filing RAFs, and annual reports, as well as an explanation of the Buyer's exempt status in accordance with Section 367.022, F.S. No objections to the transfer were filed, and the time for doing so has expired.

Facility Description and Compliance

The water system includes three wells with capacities of 200, 197, and 50 gallons per minute, using chlorination and reverse osmosis treatment. The wastewater treatment plant is an extended aeration activated sludge plant with a design capacity of 199,000 gallons per day and includes five rapid infiltration basins, two clarifiers, one surge tank, one chlorine contact chamber and 11 lift stations.

We reviewed the most recent Department of Environmental Protection (DEP) sanitary survey, issued on March 19, 2026, which identified eight deficiencies, six of which were minor non-compliance deficiencies, while the remaining two issues were significant non-compliance (SNC) deficiencies. The Utility corrected all six minor deficiencies and one SNC deficiency; the remaining SNC deficiency relates to exceeding the plant's permitted capacity in 2025 and 2026.

We also reviewed the Utility's 2025 water quality results. The Utility exceeded the DEP limits for haloacetic acids and total trihalomethanes, and total dissolved solids exceeded the secondary standard. The Utility issued the required public notices and is working with DEP to address the violations. Additionally, the October 23, 2025, DEP Compliance Inspection Report identified that the Utility failed to submit annual Reclaimed Water/Effluent Analysis Reports for 2022 through 2024 but identified no other compliance issues.

Technical and Financial Ability

Pursuant to Rule 25-30.037(2)(m), F.A.C., the application contained an explanation of the Buyer's experience in the water and wastewater industry and the Buyer's plans for ensuring continued operation of the utility. Pursuant to Rule 25-30.037(2)(l), F.A.C., the application contained a detailed financial statement and a statement that the Buyer is not relying on any other entities or affiliates for funding the purchase.

Regulatory Assessment Fees and Annual Report

We have verified that the Utility is current on the filing of annual reports and RAFs through December 31, 2026. The Utility will continue to be responsible for paying RAFs, until we have approved the closing of the sale.

⁵ Document No. 04384-2026, filed July 15, 2026.

Conclusion

Based on the foregoing, we find that the transfer of the water and wastewater systems is in the public interest and shall be approved effective the date of our vote. Certificate Nos. 675-W and 576-S shall be cancelled administratively upon receipt of the executed agreement confirming the actual date of closing, which is scheduled to take place within three days after our approval of the transfer. CPI shall be required to file closing documents that contain evidence of the date of closing within 90 days of the date of the closing. CPI is responsible for RAFs through the closing date.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the transfer of the water and wastewater systems is in the public interest and are approved effective the date of our vote. Certificate Nos. 675-W and 576-S shall be cancelled administratively upon receipt of the executed agreement confirming the actual date of closing, which is scheduled to take place within three days after our approval of the transfer. CPI shall be required to file closing documents that contain evidence of the date of closing within 90 days of the date of the closing. CPI is responsible for regulatory assessment fees through the closing date. It is further

ORDERED that this docket shall remain open until the executed purchase agreement has been filed confirming the actual date of closing. Upon receipt, the docket shall be closed administratively.

By ORDER of the Florida Public Service Commission this 24th day of August, 2026.



ADAM TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

MRT

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

CPI Citrus Park Utility TRS, L.L.C.

Water Service Territory Legal Description

Lee County

THE EAST 150 FEET OF THE WEST 1,120 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 1,120 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

Lee County

THE WEST 440 FEET OF THE SOUTH 1,070 FEET OF THE NORTH 1,310 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 1,070.01 FEET; THENCE RUN S89°16'57"W ALONG A LINE 1,370 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 1,070.01 FEET TO THE POINT OF BEGINNING.

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

FLORIDA PUBLIC SERVICE COMMISSION

Authorizes

CPI Citrus Park Utility TRS, L.L.C.

pursuant to

Certificate Number 675–W

to provide water service in Lee County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rule, regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-2020-0263-PAA-WS	07/27/2020	20190194-WS	Original Certificate
PCS-2026-0287-FOF-WS	08/24/2026	20260027-WS	Certificate Cancellation

FLORIDA PUBLIC SERVICE COMMISSION

Authorizes

CPI Citrus Park Utility TRS, L.L.C.

pursuant to

Certificate Number 576–S

to provide wastewater service in Lee County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rule, regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-2020-0263-PAA-WS	07/27/2020	20190194-WS	Original Certificate
PCS-2026-0287-FOF-WS	08/24/2026	20260027-WS	Certificate Cancellation