

STATE OF FLORIDA
BEFORE THE PUBLIC SERVICE COMMISSION

IN RE:

20 North Oceanside Owner, LLC.
a Florida Limited Liability Co.

Docket# 20250081

Petitioner

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RESPONSE TO STAFF'S FIRST DATA REQUEST

COMES NOW Petitioner 20 North through the undersigned and hereby files its Response to Staff's 1st Data Request and would state as follows:

1. The property is in Florida Power & Light's territory.
2. 20 North has been in contact with Jose Palomo from FP&L regarding the construction plans and location of the electric vault on the property. There have been no applicable communication regarding the master meter issue with FP&L. Prior to filing this petition, I reached out by telephone to the office of Mr. Christopher Wright, Managing Attorney for Regulatory Affairs at FP&L, but have not spoken to Mr. Wright.
3. 20 North has not yet provided any attestation to FP&L however, they are in the process of drafting a letter to Mr. Wright attesting that the criteria in paragraph (5)(g) and paragraph (6) of Rule 25-6.049, F.A.C. will be met, and that any cost of future conversion to individual metering will be the responsibility of 20 North or its assigns, consistent with

subsection (7) of the rule. 20 North will file a copy of the attestation with the Commission.

4. The prospectus leaves open the possibility of submetering at some future point in time, however, 20 North does not intend to submeter the individual condo/hotel units or any portion of the facilities in Tower 2.

5. Section 17.1 of the 20 N. Ocean Condominium Hotel Prospectus-Declaration of Condominium requires each Unit to be used only in accordance with all applicable City, County and State codes, ordinances and regulations. 20 North interprets this as each Condo/Hotel Unit (whether used by the owner, its designee, or any renter) must be in accordance with the City of Pompano Beach Zoning Ordinance.

Further, on page 38 of the Purchase Agreement (page 502 of 927) the Prospectus addresses this issue.

Section 32(e)- **Zoning Regulations and Certain Rental and Occupancy Restrictions**. Buyer expressly understands and agrees that pursuant to the Zoning Regulations, the Unit is considered a "lodging unit" within a condo hotel. Accordingly:

- (1) Buyer expressly understands and agrees that, subject to the provisions of the Declaration and compliance with the Zoning Regulations and laws governing same, the Residential Units may be used for transient rentals, and **certain restrictions have been imposed on the occupancy and the rental of same.**

- (2) a Residential Unit may not be occupied by its owner(s) for more than 30 consecutive days and more than a total of 180 days in any consecutive 12 month period;
- (3) no Residential Unit may be occupied as a permanent dwelling unit or residence....

6. Overnight occupancy as defined in paragraph (8)(b) of Rule 25-6.049 "means use of an occupancy unit for a short term such as per day or per week where permanent residency is not established." Section 32(e)(3) of the Purchase Agreement meets this requirement by making it clear that no permanent residency is allowed. Paragraph (8)(b) suggests short term is per day or per week but doesn't exclude per month as short term occupancy. As a result, since the Condominium Hotel Purchase Agreement cited above restricts occupancy of the Condo-Hotel Units to no more than 30 consecutive days, 100% of the Condo-Hotel Units in Tower 2 must be used solely for overnight occupancy.

7. 20 North and their management company expect HVAC control for the Condo-Hotel Units to match that of other luxury resorts. Management will be responsible for the maintenance and upkeep of the HVAC which includes the cooling towers on the roof and the air handlers inside the units. In hot weather areas hotel management will typically request housekeeping to close blinds in unoccupied rooms to prevent heat gain and unnecessary use of HVAC. Thermostat control of

unoccupied rooms will be a balance between keeping energy costs down and maintaining humidity levels.

CERTIFICATE OF SERVICE

I hereby certify the foregoing Response to Staff's 1st Data Request has been furnished electronically this 13th day of June 2025 to Adam Teitzman, Commission Clerk, Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission.

/s/ Marc Mazo
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