

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for limited proceeding rate  
increase by Sunshine Water Services Company  
d/b/a Sunshine Water Services.

DOCKET NO. 20250137-SU  
ORDER NO. PSC-2026-0080-PCO-SU  
ISSUED: April 1, 2026

PROCEDURAL ORDER

On November 10, 2025, Sunshine Water Services Company (Sunshine) filed its petition for a limited proceeding to seek cost recovery for the upgrade of its Mid-County Wastewater Treatment Facility in Pinellas County, Florida (MCWWTF). Intervention by the Office of Public Counsel (OPC) was acknowledged by Order No. PSC-2025-0461-PCO-SU, issued December 19, 2025.

This proceeding was set for an evidentiary hearing on April 13-14, 2026. On March 26, 2026, Sunshine filed a Motion to Approve 2026 Stipulation and Settlement Agreement (Motion), which attached the 2026 Stipulation and Settlement Agreement (Settlement Agreement) signed by Sunshine and OPC, the sole intervenor in this docket. The unanimous agreement resolves all of the issues presented by Sunshine's application.

The proposed Settlement Agreement will be considered at the April 13, 2026 hearing already scheduled. This Order sets forth the procedural requirements for all parties to this docket. Jurisdiction over these matters is vested in the Commission through several provisions of Chapter 367, Florida Statutes (F.S.), including Sections 367.0822, F.S. This Order is issued pursuant to the authority granted by Rule 28-106.211, Florida Administrative Code (F.A.C.), which provides that the presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case.

Use of Confidential Information at Hearing

Information for which proprietary confidential business information status is requested pursuant to Section 367.156, F.S., and Rule 25-22.006, F.A.C., shall be treated by the Commission as confidential. The information shall be exempt from Section 119.07(1), F.S., pending a formal ruling on such request by the Commission or pending return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been made a part of the evidentiary record in this proceeding, it shall be returned to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of this proceeding, it shall be returned to the person providing the information within the time period set forth in Section 367.156, F.S. The Commission may determine that continued possession of the information is necessary for the Commission to conduct its business.

It is the policy of this Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 367.156, F.S., to protect proprietary confidential business information from disclosure outside the proceeding. Therefore, any party wishing to use any proprietary confidential business information, as that term is defined in Section 367.156, F.S., at the hearing shall adhere to the following:

- (1) When confidential information is used in the hearing that has not been filed as prefiled testimony or prefiled exhibits, parties must have copies for the Commissioners, necessary staff, and the court reporter, in red envelopes clearly marked with the nature of the contents and with the confidential information highlighted. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.
- (2) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise confidentiality. Therefore, confidential information should be presented by written exhibit when reasonably possible.

At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the court reporter shall be retained in the Office of Commission Clerk's confidential files. If such material is admitted into the evidentiary record at hearing and is not otherwise subject to a request for confidential classification filed with the Commission, the source of the information must file a request for confidential classification of the information within 21 days of the conclusion of the hearing, as set forth in Rule 25-22.006(8)(b), F.A.C., if continued confidentiality of the information is to be maintained.

#### Settlement Orders

The Commission has a long history of considering settlements as a means of resolving litigated matters. In particular, the complex nature of litigated matters before the Commission incentivizes parties to work together, in the spirit of compromise, towards a resolution that can be offered for consideration. The parties have agreed on the major elements of the Settlement Agreement which are: (1) the agreement that the MCWWTF is prudent, (2) authorization for related rate base additions and revenue increase, (3) the approved annual revenue requirement increase to recover the costs associated with the MCWWTF, (4) the tariffs that implement the approved revenue increase, (5) the agreement to defer rate case expenses for consideration in a future rate proceeding, and (6) the agreement to forgo further litigation. These major elements will be considered by the Commission in determining whether the Settlement Agreement is in the public interest.

Hearing Procedures

Section 120.57(4), F.S., permits the Commission to informally dispose of any proceeding by stipulation, agreed settlement, or consent order. Pursuant to Rule 28-106.302(2), F.A.C., the purpose of this hearing is for the Commission to take oral and written evidence or argument regarding the parties' request for approval of the Settlement Agreement as being in the public interest.

The hearing agenda for April 13, 2026, will include the following:

- Parties present Opening Statements;
- Parties will produce witness(es) at the final hearing who will address the major elements in the 2026 Settlement and why the 2026 Settlement is in the public interest, and answer any questions from Commissioners.

Opening statements, if any, shall not exceed five minutes. Summaries of testimony shall be limited to ten minutes. Upon the admission of all testimony and evidence, and completion of the Commission's questions at hearing, the hearing record will be closed. At that time, the Commission may render a bench decision, provided all parties are willing to waive filing of post-hearing briefs. If a bench decision is not made, the Commission will render a decision during an Agenda Conference; date and time to be determined. Briefs, if any, will be due on May 8, 2026.

Based upon the foregoing, it is

ORDERED by Commissioner Ana Ortega, as Prehearing Officer, that a final hearing on the Motion to Approve 2026 Stipulation and Settlement Agreement, dated March 26, 2026, is set for April 13, 2026. It is further

ORDERED by Commissioner Ana Ortega, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

ORDERED that Order Nos. PSC-2025-0460-PCO-SU and PSC-2026-0026-PCO-SU are modified as set forth in the body of this order. It is further

ORDERED that Order Nos. PSC-2025-0460-PCO-SU and PSC-2026-0026-PCO-SU are reaffirmed in all other respects.

By ORDER of Commissioner Ana Ortega, as Prehearing Officer, this 1st day of April, 2026.



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

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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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, 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 or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.