

FLORIDA PUBLIC SERVICE COMMISSION

Item 5

VOTE SHEET

April 7, 2026

FILED 4/7/2026  
DOCUMENT NO. 02065-2026  
FPSC - COMMISSION CLERK

**Docket No. 20250110-WS** – Application for transfer of water and wastewater facilities and Certificate Nos. 600-W and 516-S from Orchid Springs Development Corporation to CSWR-Florida Utility Operating Company, LLC, in Polk County.

**Issue 1:** Should the transfer of Certificate Nos. 600-W and 516-S in Polk County from Orchid Springs Development Corporation to CSWR-Florida Utility Operating Company, LLC be approved?

**Recommendation:** Yes. The transfer of the water and wastewater systems and Certificate Nos. 600-W and 516-S is in the public interest and should be approved effective the date that the sale becomes final. The resultant Order should serve as the Buyer’s certificate and should be retained by the Buyer. The Buyer should submit the executed and recorded deed for continued access to the land upon which its facilities are located, copies of its permit transfer application, and a copy of its signed and executed contract for sale to the Commission within 60 days of the Order approving the transfer, which is final agency action. If the sale is not finalized within 60 days of the transfer Order, the Buyer should file a status update in the docket file. The Utility’s existing rates, initial customer deposits, violation reconnection charge, late payment charge, and NSF charge are shown on Schedule No. 2 of staff’s memorandum dated March 26, 2026, and should remain in effect until a change is authorized by the Commission in a subsequent proceeding. The tariff pages reflecting the transfer should be effective on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475(1), Florida Administrative Code (F.A.C.). The Utility is current with respect to regulatory assessment fees (RAFs) and annual reports through December 31, 2024. Based on the application, the Seller will be responsible for RAFs and annual reports until closing. The Buyer should be responsible for filing annual reports and paying RAFs for all future years.

**APPROVED**

**COMMISSIONERS ASSIGNED:** All Commissioners

**COMMISSIONERS’ SIGNATURES**

**MAJORITY**

**DISSENTING**

*Ara Osteen*  
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**REMARKS/DISSENTING COMMENTS:**

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**Issue 2:** What is the appropriate Net Book Value for the Orchid Springs Development Corporation’s water and wastewater system for transfer purposes?

**Recommendation:** The NBV of the water and wastewater system for transfer purposes is \$26,968 for water and \$28,815 for wastewater as of September 2, 2025. Within 90 days of the date of the Final Order, CSWR – Orchid Springs should be required to notify the Commission in writing that it has adjusted its books in accordance with the Commission’s decision. The adjustments should be reflected in the Utility’s 2026 Annual Report when filed. The Buyer is not requesting a positive acquisition adjustment as part of this transfer docket, but may petition for a for a positive acquisition adjustment within the three years established in Rule 25-30.0371, F.A.C.

**APPROVED**

**Issue 3:** Should CSWR-Florida Utility Operating Company, LLC’s miscellaneous service charges be revised to conform to Rule 25-30.460, F.A.C.?

**Recommendation:** Yes. Staff recommends the miscellaneous service charges be revised to conform to Rule 25-30.460, F.A.C. The tariff should be revised to reflect the removal of initial connection and normal reconnection charges. CSWR – Orchid Springs should be required to file a proposed customer notice to reflect the Commission-approved charges. The approved charges should be effective on or after the stamped approval date on the tariff sheet pursuant to Rule 25-30.475(1), F.A.C. In addition, the approved charge should not be implemented until staff has approved the proposed customer notice and the notice has been received by customers. The Utility should provide proof of the date notice was given, no less than 10 days after the date of the notice. CSWR – Orchid Springs should be required to charge the approved miscellaneous services charges until authorized to change them by the Commission in a subsequent proceeding.

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**Issue 4:** Should this docket be closed?

**Recommendation:** Yes. If no protest to the proposed agency action is filed by a substantially affected person within 21 days of the date of the issuance of the Order, a Consummating Order should be issued and the docket should be closed administratively upon Commission staff's verification that the revised tariff sheets have been filed, that proof has been provided that appropriate noticing has been done pursuant to Rule 25-30.475, F.A.C., the Buyer has notified the Commission in writing that it has adjusted its books in accordance with the Commission's decision, the Buyer has submitted the executed and recorded warranty deed, that the Buyer has submitted a copy of its application for permit transfer to the DEP, and that the Buyer has submitted a signed and executed copy of its contract for sale within 60 days of the Commission's Order approving the transfer.

**APPROVED**