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DANIEL PEREZ
*Speaker of the House of
Representatives*

June 30, 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 West Lakeland Wastewater, LLC Settlement Agreement

Dear Mr. Teitzman:

Enclosed is the Motion to Approve 2026 West Lakeland Settlement Agreement and a Settlement Agreement submitted by the Office of Public Counsel and West Lakeland Wastewater, 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/ Walt Trierweiler

Walt Trierweiler
Public Counsel
Florida Bar No.: 912468
trierweiler.walt@leg.state.fl.us

cc: Mike Smallridge
Cassie Gatlin
Mike Vogel

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Disposition of 2026 Overearnings for
West Lakeland Wastewater, LLC.

DOCKET NO.: 2026_____

Filed: June 30, 2026

MOTION TO APPROVE
2026 WEST LAKELAND SETTLEMENT AGREEMENT

The Office of Public Counsel ("OPC"),¹ on behalf of the Citizens of the State of Florida, pursuant to Sections 367.081 and 120.57(4), Florida Statutes (F.S.), and Rules 28-106.301, and 28-106.204 Florida Administrative Code (F.A.C.), hereby requests that the Florida Public Service Commission ("Commission") approve the Stipulation and Settlement Agreement included with this motion as Exhibit A ("West Lakeland Settlement Agreement" or "Agreement"), and states:

Introduction

The West Lakeland Settlement Agreement completely and fairly resolves all of the issues presented within. The procedural history of this matter and the issues resolved by the Agreement are reflected in its recitals.

The Agreement is supported and entered into by West Lakeland Wastewater, LLC ("West Lakeland" or the "company") and the OPC (collectively the "Parties"). The OPC identified possible 2026 overearnings based upon the review of the 2025 Annual Report of West Lakeland.²

On May 1, 2026, West Lakeland consented to the Commission's jurisdiction over revenues that exceed the high end of its return on equity on a prospective basis.³ The OPC and West

¹ The Office of Public Counsel is the statutorily created representative of all ratepayers in proceedings before the Commission. *Floridians Against Increased Rates, Inc. v. Clark*, 371 So. 3d 905, 909 n. 10 (Fla. 2023). See also § 350.0611 F.S.

² See Document No. WU937-25-AR. See also Document No. 02392-2026 – OPC (Fletcher) – Letter dated April 24, 2026, providing a summary of review of possible WAW overearnings for reporting year 2025 for A Utility Inc., Citrus Waterworks, Inc., East Marion Utilities, LLC., Environmental Protection Systems of Pine Island, Inc., Keen Sales, Rentals and Utilities, Inc., Kirby D. Morgan, Inc., Lake Yale Utilities, LLC., Mcleod Gardens Utilities, LLC., and West Lakeland Wastewater, LLC.

³ Document No. 02588-2026, pg. 13 – West Lakeland (Smallridge) – Letter dated May 1, 2026, providing acknowledgement of an informal investigation into potential overearnings of West Lakeland Wastewater, LLC.

Lakeland exchanged data regarding potential earnings above the maximum allowed return on equity (ROE) and engaged in discussions related to the data provided by West Lakeland to the OPC.

Key Terms of the Agreement

The Agreement: (a) reduces West Lakeland's base facility charge and gallonage charges by 2.65%; (b) West Lakeland will refund via credit on its customers' accounts 2.65% of water revenues billed from May 1, 2026, until the effective date of the rate reduction.⁴ This refund credit is based on each individual customer's billed amounts from May 1, 2026, until the effective date of the rate reduction; and (c) West Lakeland will withdraw its application for a price index adjustment and forego requesting a price index adjustment in 2026.

The Agreement is a unanimous settlement between OPC and West Lakeland. Both parties have expressly agreed that the West Lakeland Settlement Agreement is in the public interest, that they will support approval of the Agreement by the Commission, and that they will not appeal a final order approving it.

Public Interest

The OPC and the West Lakeland entered into the Agreement to: (1) protect the interests of the company's customers and the company; (2) promote regulatory efficiency; and (3) avoid the inherent risks, uncertainties, dedication of resources, and costs of further litigation. The Agreement is in the public interest, results in fair, just, and reasonable rates, and resolves the disposition of 2026 overearnings for West Lakeland.

⁴ The refunds shall be made pursuant to Rule 25-30.360(3), Florida Administrative Code.

Standard for Approval

10. The general standard for approving a settlement agreement like this one is whether it is in the public interest.⁵ The Agreement and its major elements are in the public interest for the reasons specified above and as specified in the Agreement. The Parties ask the Commission to find that the Agreement is: (a) in the public interest; (b) create rates that are fair, just, and reasonable; and (c) will resolve the disposition of 2026 overearnings for West Lakeland.

13. The Parties entered into the Agreement and the discussions that resulted in it, each for their own reasons, but all in recognition that the cumulative total of the regulatory activity currently before the Commission is significant. To maximize the administrative and regulatory efficiency benefits inherent in the Agreement, the Parties request review and approval of this Settlement Agreement at the August Commission Agenda Conference.

WHEREFORE, OPC respectfully requests that the Commission approve the Agreement as specified above.

⁵ *Floridians Against Increased Rates v. Clark*, 371 So. 3d 905, 910 (Fla. 2023). See also Order No. PSC-2020-0084-S-EI, issued March 20, 2020, in Docket No. 20190061-EI (Petition for Approval of Solar Together program and tariff, by Florida Power & Light Company) at 5, citing *Sierra Club v. Brown*, 243 So. 3d 903, 910-913 (Fla. 2018); Order No. PSC-2013-0023-S-EI, issued on January 14, 2013, in Docket No. 20120015-EI, In re: Petition for increase in rates by Florida Power & Light Company; Order No. PSC-2011-0089-S-EI, issued February 1, 2011, in Docket Nos. 20080677-EI and 20090130-EI, In re: Petition for increase in rates by Florida Power & Light Company and In re: 2009 depreciation and dismantlement study by Florida Power & Light Company; Order No. PSC-10-0398-S-EI, issued June 18, 2010, in Docket Nos. 20090079-EI, 20090144-EI, 20090145-EI, and 20100136-EI, In re: Petition for increase in rates by Progress Energy Florida, Inc., In re: Petition for limited proceeding to include Bartow repowering project in base rates, by Progress Energy Florida, Inc., In re: Petition for expedited approval of the deferral of pension expenses, authorization to charge storm hardening expenses to the storm damage reserve, and variance from or waiver of Rule 25-6.0143(1)(c), (d), and (f), F.A.C., by Progress Energy Florida, Inc., and In re: Petition for approval of an accounting order to record a depreciation expense credit, by Progress Energy Florida, Inc.; Order No. PSC-2005-0945-S-EI, issued September 28, 2005, in Docket No. 20050078-EI, In re: Petition for rate increase by Progress Energy Florida, Inc.

DATED this 30th day of June, 2026.

Respectfully Submitted,

/s/ Walt Trierweiler

Walt Trierweiler

Public Counsel

Florida Bar No.: 912468

trierweiler.walt@leg.state.fl.us

Office of Public Counsel

111 W. Madison St, Suite 812

Tallahassee, FL 32399-1400

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Exhibit A

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Disposition of 2026 Overearnings for
West Lakeland Wastewater, LLC.

DOCKET NO.: 20260000

FILED: June 30, 2026

WEST LAKELAND SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT is made and entered into this 30th day of June, 2026, by and between West Lakeland Wastewater LLC. (hereafter referred to as “West Lakeland”), and the Office of Public Counsel (“OPC”), on behalf of the Citizens of the State of Florida (“Citizens”) and customers of West Lakeland (hereafter, “Parties”).

Recitals

WHEREAS, the OPC identified possible 2026 overearnings based upon the review of the 2025 Annual Reports of West Lakeland;¹

WHEREAS, on May 1, 2026, West Lakeland consented to the Commission’s jurisdiction over revenues which exceed the high end of West Lakeland’s return on equity on a prospective basis;²

WHEREAS, the Parties have conducted further discussions and evaluation of additional data provided by West Lakeland to OPC on such overearnings;

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

¹ See Document No. WU937-25-AR; See also Document No. 02392-2026 – OPC (Fletcher) – Letter dated April 24, 2026, providing summary of review of possible WAW overearning for reporting year 2025 for A Utility Inc., Citrus Waterworks, Inc., East Marion Utilities, LLC., Environmental Protection Systems of Pine Island, Inc., Keen Sales, Rentals and Utilities, Inc., Kirby D. Morgan, Inc., Lake Yale Utilities, LLC., Mcleod Gardens Utilities, LLC., and West Lakeland Wastewater, LLC.

² Document No. 02588-2026 – West Lakeland (Smallridge) – Letter dated May 1, 2026, providing acknowledgement of an informal investigation into potential overearnings of West Lakeland Wastewater, LLC.

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, in consideration of the foregoing, and the mutual covenants contained herein, which the Parties agree and acknowledge constitute good and valuable consideration, the Parties hereby stipulate and agree as follows:

1. West Lakeland Wastewater, LLC (West Lakeland) agrees to reduce its base facility charge and gallonage charges by 2.65%, as reflected in Attachment 1. In addition, West Lakeland also agrees to refund via credit on its customers' accounts 2.65% of wastewater revenues billed from May 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 May 1, 2026, until the effective date of the rate reduction. Further, West Lakeland will withdraw the application for a price index adjustment, filed April 1, 2026, and will further forego requesting a price index adjustment in 2026.
2. In keeping with the Commission's long-standing policy and practice of encouraging parties to settle issues whenever reasonable and possible, the Parties submit this Settlement Agreement for review and approval. The Parties agree that this Settlement Agreement is in the public interest.
3. 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.

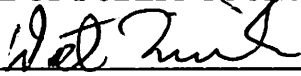
WEST LAKELAND WASTEWATER, LLC

By: 

Date: 6/30/26

Mike Smallridge
Managing Member
West Lakeland Wastewater, LLC
5911 Trouble Creek Road
New Port Richey, FL 34652-5128

OFFICE OF PUBLIC COUNSEL

By: 

Date: 6/30/26

Walt Trierweiler
Public Counsel
111 W. Madison Street, Suite 812
Tallahassee, FL 32399-1400

Attachment 1

Description	Current Rates	2.65% Reduction	Reduced Rates
<u>Residential</u>			
Base Facility Charge - All Meter Sizes	\$28.75	(\$0.76)	\$27.99
Charge per 1,000 gallons (6,000-gallon cap)	\$8.66	(\$0.23)	\$8.43
<u>General Service</u>			
Base Facility Charge by Meter Size			
5/8" x 3/4"	\$28.75	(\$0.76)	\$27.99
3/4"	\$43.13	(\$1.14)	\$41.99
1"	\$71.88	(\$1.90)	\$69.98
1-1/2"	\$143.75	(\$3.81)	\$139.94
2"	\$230.00	(\$6.10)	\$223.91
3"	\$460.00	(\$12.19)	\$447.81
4"	\$718.75	(\$19.05)	\$699.70
6"	\$1,437.50	(\$38.09)	\$1,399.41
8"	\$2,300.00	(\$60.95)	\$2,239.05
Charge per 1,000 gallons	\$10.40	(\$0.28)	\$10.12
<u>Typical Residential 5/8" x 3/4" Meter Bill Comparison</u>			
3,000 Gallons	\$54.73	(\$1.45)	\$53.28
6,000 Gallons	\$80.71	(\$2.14)	\$78.57