Tristan Davis

From: Tristan Davis on behalf of Records Clerk
Sent: Thursday, August 6, 2026 10:33 AM
To: JJ
Cc: Consumer Contact
Subject: RE: Request to Include Additional Comments in Docket No. 20250108

Good Morning,

We will be placing your comments below in consumer correspondence in Docket No. 20250108, and forwarding them to the Office of Consumer Assistance.

Thank you!

Tristan Davis
Commission Deputy Clerk I
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
Phone: (850) 413-6121

From: JJ <jujo13@yahoo.com>
Sent: Thursday, August 6, 2026 10:31 AM
To: Records Clerk <CLERK@PSC.STATE.FL.US>
Subject: Request to Include Additional Comments in Docket No. 20250108

Dear Office of Commission Clerk,

Please accept the attached document for inclusion in the correspondence section of **Docket No. 20250108**

Following a review of the Staff Recommendation (RECOM), I have identified a number of concerns regarding the evidential basis supporting certain findings and conclusions. My comments are confined to those instances where the recommendation appears to rely upon information provided by the Utility without identifying independent verification, where evidence appears incomplete or contradictory, or where conclusions do not appear to be fully supported by the evidence discussed within the RECOM itself.

These comments are submitted respectfully and are intended to assist the Commission as it continues its oversight of this docket, including the management audit and the Utility's compliance with the Commission's directives. They are not intended to revisit every aspect of the rate case, but rather to identify specific evidential concerns that I believe warrant consideration and inclusion in the official record.

I respectfully request that the attached document be placed in the correspondence section of the docket.

Thank you for your consideration.

Sincerely,

Judith Jones

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
Docket No. 20250108-WS
Application for Staff-Assisted Rate Case in Lake County by
Sunlake Estates Utilities, L.L.C.

Comments on the Evidential Basis of the Staff Recommendation (RECOM)

Submitted by: Judith Jones - Lot D43 Sunlake Estates

Finding 1 – Staff Relied Upon the Utility's Characterisation of the Distribution System Without Identifying Independent Engineering Evidence

Staff Finding

The RECOM records the Utility's position that the repeated water line breaks were **"isolated or localized rather than systemic"** and that replacement of the distribution system was therefore unnecessary.

Evidence Relied Upon

In reaching this conclusion, the RECOM records the Utility's explanation regarding the nature of the line breaks.

However, the RECOM does **not** identify any independent:

- engineering condition assessment;
- hydraulic modelling;
- pipeline integrity survey;
- engineering consultant's report;
- failure-rate analysis;
- asset deterioration study; or
- technical opinion supporting the conclusion that the failures were merely isolated.

Instead, the evidential basis identified in the RECOM is the Utility's own explanation.

Contradictory Evidence Within the RECOM

Within the same section of the RECOM, Staff concludes that:

- **at least eighteen reportable service interruptions** occurred between 2022 and 2026;
- those interruptions were **not reported to the Commission** as required;
- reporting procedures were only implemented **after Staff questioned the Utility**.

Analysis

These two findings are difficult to reconcile.

If the Utility failed to report at least eighteen reportable service interruptions over several years, then the historical reliability record available to Staff was incomplete.

The RECOM does not explain how Staff independently verified the Utility's assertion that failures were merely "isolated or localized" when the Commission's own records were incomplete because reportable interruptions had not been reported.

Nor does the RECOM explain whether those missing interruption reports would have altered Staff's assessment of the condition of the distribution system.

The conclusion therefore appears to rely primarily upon the Utility's own characterisation of its infrastructure rather than independently verified engineering evidence.

Potential Effect

This finding formed part of the basis upon which Staff concluded replacement of the distribution system was unnecessary.

If the underlying interruption history was incomplete and no independent engineering assessment was undertaken, then the evidential basis supporting that conclusion may itself have been incomplete.

Finding 2 – Staff Accepted the Utility's Assertion That It Had Received No Complaints Despite Extensive Contrary Evidence

Staff Finding

The RECOM states that:

- the Commission's Consumer Activity Tracking System (CATS) contained one complaint;
- the Utility advised Staff that it had received **no complaints** during the review period;
- the Florida Department of Environmental Protection likewise reported no complaints.

Later in the same section, Staff records that, as of June 30, 2026:

- approximately **145 written customer comments** had been filed with the Commission;
- eight customers spoke at the customer meeting;
- those submissions contained **396 separate issues**;
- including **72 Quality of Service issues** and **76 Outage/Boil Water Notice issues**.

Evidence Relied Upon

Staff accepted the Utility's statement that it had received no complaints while simultaneously documenting an unprecedented volume of customer complaints submitted directly to the Commission.

Staff also accepted the Utility's explanation that complaints were generally routed through Sunlake Estates management rather than directly to the Utility.

Contradictory Evidence

The RECOM itself concludes that:

"Customer comments suggest this indirect communication might result in an undercount of historic complaints."

It further recommends that the Utility should record complaints received both directly and indirectly through park management.

Analysis

These findings expose a significant weakness in the evidential basis of the RECOM.

On one hand, Staff accepted the Utility's statement that it had received no complaints.

On the other, Staff documented approximately 145 written customer comments comprising 396 separate issues and acknowledged that the Utility's method of handling complaints may have resulted in an undercount of historical complaints.
The RECOM never reconciles these two positions.
It does not examine whether the Utility's complaint records were unreliable before relying upon those records in assessing customer service.
Instead, Staff proceeds on the basis that future improvements to complaint recording should be implemented.
If the Utility's complaint records were incomplete, then any conclusions based upon those records were necessarily based upon incomplete information.

Potential Effect
The Commission was asked to assess customer service using records that Staff itself questioned.
The RECOM does not explain whether correcting the complaint recording deficiencies would have altered Staff's assessment of the Utility's historical performance or the significance of customer dissatisfaction.

Finding 3 – Staff Identified Evidence Suggesting Non-Compliance with Complaint Recording Requirements but Stopped Short of Determining Whether the Rule Had Been Breached
Staff Finding

The RECOM states:
"Customer comments suggest this indirect communication might result in an undercount of historic complaints."
Staff then cites Rule 25-30.130, Florida Administrative Code, which requires a utility to maintain records of customer complaints for a minimum of five years. Staff also cites Rule 25-30.355, F.A.C., defining a complaint as an objection made to a utility by a customer.

Evidence Relied Upon
Staff accepted that:

- customer complaints were commonly routed through Sunlake Estates management rather than directly to the Utility;
- this process may have resulted in an undercount of complaints;
- complaint records were therefore potentially incomplete.

Contradictory Evidence
Rather than determining whether Rule 25-30.130 had in fact been complied with during the review period, Staff merely recommended that, in future, the Utility should record complaints received indirectly through community management.

Analysis

The evidence set out by Staff raises a fundamental question that the RECOM does not answer. If customer complaints were routinely routed through community management and consequently omitted from the Utility's complaint records, then the Utility's complaint records were potentially incomplete throughout the period under review.

The RECOM does not determine:

- whether the statutory complaint records were complete;
- whether the Utility had complied with Rule 25-30.130;
- how any incomplete records affected Staff's assessment of customer service.

Instead, Staff moves directly from identifying the potential deficiency to recommending future improvements.

The recommendation therefore leaves unresolved whether the Utility complied with the Commission's own record-keeping requirements during the period relevant to this rate case.

Potential Effect

The Commission was asked to assess the Utility's customer service while Staff simultaneously acknowledged that the historical complaint records upon which such an assessment would normally rely may have been incomplete.

Finding 4 – Staff Accepted Regulatory Compliance of the Treatment Facility as Sufficient Evidence of Infrastructure Adequacy

Staff Finding

In Issue 2, Staff concluded that Sun lake’s infrastructure and operating conditions complied with DEP requirements, relying principally upon the July 2, 2024 DEP sanitary survey and noting that, apart from one nitrate issue that had been corrected, the water treatment facility complied with applicable standards.

Evidence Relied Upon

The RECOM discusses:

- the wells;
- the storage tank;
- treatment processes;
- the DEP sanitary survey;
- the corrected nitrate deficiency.

Contrary Evidence

Elsewhere in the RECOM Staff documents:

- repeated line breaks;
- repeated service interruptions;
- repeated boil-water notices;
- 76 outage and boil-water-notice complaints;
- customer concerns regarding the condition of the distribution infrastructure.

Analysis
The Issue before Staff concerned the Utility's **infrastructure and operating conditions**. However, the supporting analysis concentrates almost entirely upon the regulatory compliance of the **water treatment facility**.
The RECOM contains no comparable engineering analysis of the distribution network that generated the overwhelming majority of customer complaints.
The report does not identify:

- any assessment of the physical condition of the distribution mains;
- any analysis of whether repeated line breaks indicated deterioration;
- any engineering evidence demonstrating that replacement of the distribution network was unnecessary.

Consequently, the conclusion that the Utility's infrastructure complied is supported primarily by evidence relating to the treatment facility rather than by an independent assessment of the distribution system that formed the basis of the customers' concerns.

Potential Effect
The Commission may reasonably have concluded that drinking water quality complied with DEP standards. However, the RECOM does not demonstrate that this conclusion alone was sufficient to resolve the separate question of whether the distribution infrastructure itself had been adequately evaluated.

Finding 7 – Staff Accepted That Future Corrective Action Would Resolve Deficiencies Without Assessing Whether Those Deficiencies Had Already Undermined the Rate Case Staff Finding

Throughout the RECOM, Staff identifies deficiencies in:

- complaint recording;
- communication with customers;
- reporting of service interruptions.

Rather than determining whether these deficiencies affected the integrity of the evidence relied upon during the rate case, Staff recommends that the Utility improve its procedures going forward.

Evidence Relied Upon
Staff concluded:

- complaint records should be improved;
- complaints received through park management should be recorded;
- procedures for reporting outages should be implemented.

Missing Evidence

The RECOM does not analyse:

- whether incomplete complaint records affected Staff's Quality of Service findings;
- whether unreported service interruptions affected Staff's assessment of reliability;
- whether the information supplied by the Utility throughout the rate case was sufficiently complete to support Staff's recommendations.

Contrary Evidence

Staff itself established that:

- complaint records may have been incomplete;
- at least eighteen reportable interruptions had never been reported;
- reporting procedures were only introduced after Staff identified the problem.

Analysis

The RECOM assumes that future procedural improvements will resolve the identified deficiencies.

However, it does not consider whether those same deficiencies had already compromised the evidential basis of the current proceeding.

This is a significant omission because the recommendations made to the Commission were based upon historical information that Staff itself had found to be incomplete.

Potential Effect

The Commission approved rates using historical operational information whose completeness had already been called into question by Staff's own findings.

Finding 8 – The RECOM Relies Upon Regulatory Compliance While Giving Limited Weight to Operational Performance

Staff Finding

Staff concluded that the Utility complied with DEP operational requirements based principally upon the DEP sanitary survey and inspection findings.

Evidence Relied Upon

The RECOM discusses:

- DEP inspection;
- sanitary survey;
- treatment facilities;
- corrected nitrate deficiency.

Missing Evidence

The RECOM does not explain:

- what level of repeated service interruptions would indicate inadequate infrastructure;
- what frequency of line breaks would indicate deterioration;
- whether repeated boil-water notices were considered an indicator of infrastructure performance;
- whether any engineering criteria were applied in reaching the conclusion.

Contrary Evidence

Elsewhere Staff records:

- repeated customer complaints regarding outages;
- repeated boil-water notices;
- repeated line breaks;
- concerns over deteriorating infrastructure.

Analysis

The RECOM places considerable reliance upon compliance with environmental regulation. However, regulatory compliance does not necessarily demonstrate satisfactory operational reliability.

The report never explains why regulatory compliance outweighed the substantial evidence concerning recurring operational failures.

Potential Effect

The Commission was presented with evidence demonstrating regulatory compliance but was given little analysis explaining how repeated operational failures affected the overall assessment of the Utility's infrastructure and management.

Finding 9 – The RECOM Does Not Explain How Customer Evidence Was Weighed

Staff Finding

Staff carefully categorised approximately 396 customer concerns into a number of subject areas including outages, boil-water notices, infrastructure, billing and quality of service.

Evidence Relied Upon

The RECOM summarises the customer evidence in considerable detail.

Missing Evidence

The RECOM does not explain:

- what weight was given to the customer evidence;
- how conflicting evidence was resolved;
- why certain customer concerns were accepted while others were rejected;
- whether any complaints were independently verified.

Contrary Evidence
Following the detailed summary of customer concerns, the RECOM proceeds directly to its recommendations without explaining how those concerns influenced the conclusions reached.

Analysis
Merely cataloguing customer concerns is not the same as evaluating them.
The RECOM contains no methodology explaining how Staff assessed credibility, significance or evidential weight.
Without such analysis it is difficult to understand how the customer evidence contributed to the final recommendations.

Potential Effect
The Commission received a comprehensive summary of customer concerns, but little explanation of how those concerns affected the conclusions reached by Staff.