

RICHARD S. JOHNSON, P.A.
107 North Partin Drive ▲ Niceville, Florida 32578
Telephone: (850) 279-6868 ▲ Facsimile: (850) 678-8336

Florida Supreme Court Certified Circuit Civil Mediator

March 23, 2022

Office of the Commission Clerk
Ms. Kathryn Cowdery, Senior Attorney FPSC
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
Tel: (850) 413-6770

Re: Order No. PSC-2019-0357-PAA-EU
Issued: August 23, 2019
Order Granting Rule Waiver Subject to Conditions
In re: Petition for variance from or waiver of Rule 25-6.049(5) and (6)
FAC, by Calypso Tower III, LLC
Order Req. Reply to Conditions prior to 3/31/22.

Ms. Kathryn Cowdery:

The order in PSC 2019-0357-PAA-EU granted applicant Calypso Tower III, LLC, a waiver and variance for mass metering. Pursuant to that order, there are four conditions that were required to be met within 1 year of the first sale of any unit at Calypso Tower III, LLC. That first sale was on 3/31/2021 and therefore this reply is timely filed. The essence of the conditions was that because the applicant was applying for the variance based upon the concept that it would be acting as a hotel, it should be licensed as hotel. The application was reviewed and granted but with conditions.

As a beginning point, the reply was required to be filed within one year of the first sale. The remaining four conditions were/are as follows:

Duty # One.

Within one year of the closing of sale of its first residential unit, Calypso must be a licensed public lodging establishment under Sections 509.241 and 509.242, F.S.

Duty # Two.

92 percent of the residential units sold must be used solely for overnight occupancy as that term is defined in Rule 25-6.049(8)(b), F.A.C.

Duty # Three.

Calypso must allocate the cost of electricity to the individual owners using a reasonable apportionment method. This is a requirement of Rule 25-6.049(9)(a), F.A.C.

Duty # Four.

Calypso must file a report with the Commission 12 months after the date of closing of the sale of the first residential unit. The report must include the number of units sold and, of those, the number of units that are solely used for overnight occupancy as defined in Rule 25- 6.049(8)(b), F.A.C. The report must also include a copy of Calypso's public lodging license

This report is made and timely filed to state that all four conditions have been met as required.

One, Calypso is licensed as a public lodging hotel pursuant to the rule and the license is attached.

Two, 95 percent of the occupants are 'overnight/transient' occupants pursuant to Rule 25-6.049(8)(b), F.A.C. See attached report.

Three, the cost of electricity to the individual owners is billed using a reasonable apportionment method pursuant to rule 25-6.049(9)(a),

Four, attached to this letter is the timely filed report after the first sale of a residential unit which includes units sold and of those the percentage that are used for 'overnight/transient' occupancy pursuant to Rule 25- 6.049(8)(b), F.A.C and attached also hereto as if incorporated herein is a copy of Calypso hotel lodging license. 12

1 Petitioner reviewed and considered each of the following pursuant to the contents of this order No. PSC-2019-0357-PAA-EU which considered previous waivers and grants for the same in the following: Order No. PSC-2018-0351-PAA-EU, issued July 18, 2018, in Docket No. 20180113-EU, *In re: Petition for variance from or waiver of individual metering requirements of Rule 25-6.046(5) and (6), F.A.C., by 4000 South Ocean Property Owner, LLLP.*; Order No. PSC-15-0565-PAA-EU, issued Dec. 15, 2015, in Docket No. 20150222- EU, *In re: Petition for variance from or waiver of Rule 25-6.049(5) and (6), F.A.C., by 4111 South Ocean Drive, LLC.*

Order No. PSC-98-1193-FOF-EU, issued Sept. 8, 1998, in Docket No. 19980667-EU, *Petition by Holiday Villas II Condominium Association, Inc., for variance from or waiver of Rule 25-6.049(5)(a), F.A.C., Regarding Electric Metering*

Order No. PSC-11-0253-PAA-EU, issued June 13, 2011, in Docket No. 20110063-EU, *In re: Petition for variance from or waiver of individual metering requirements of Rule 25-6.049(5)(a), F.A.C., by Destin Gulfgate Owners*

In closing, this report meets the requirements of the order dated August 23rd, 2019, and request an order extending the mass metering waiver order of PSC-2019-0357-PAA-EU accordingly. As always, should you have any questions, please do not hesitate to reply.

Sincerely,



Richard S. Johnson

RSJ/hs
cc: client

Association, Inc.

Order No. PSC-05-1261 -PAA-EU, issued Dec. 27, 2005, in Docket No. 20050601-EU, *In re: Petition for variance or waiver from individual metering requirements of Rule 25-6.049(5)(1), F.A.C., by Fontainebleau Florida Tower 3, LLC d/b/a Fontainebleau III Ocean Club*; Order No. PSC-03-0195-PAA-EU, issued Feb. 10, 2003, in Docket No. 20021005-EU, *In re: Petition for emergency variance from or waiver of individual metering requirement of Rule 25-6.049(5)(a), F.A.C., by Luxury Resorts International, Inc. d/b/a The Atlantic.*

2 All of the units are sold.

Licensee Information

Name:	CALYPSO TOWER III (Primary Name) TOWER III @ CALYPSO RESORT COA (DBA Name)
Main Address:	15900 FRONT BEACH RD PANAMA CITY BEACH Florida 32413
County:	BAY
License Mailing:	PO BOX 681463 PRATTVILLE AL 36068
County:	OUT OF STATE
License Location:	15900 FRONT BEACH RD FRONT BEACH RD PANAMA CITY BEACH FL 32413
County:	BAY

License Information

License Type:	Hotel
Rank:	Hotel
License Number:	HOT1305253
Status:	Current,Active
Licensure Date:	03/21/2022
Expires:	06/01/2022

Special Qualifications

Qualification Effective

Bay JUN	03/21/2022
201-300 UNITS	03/21/2022

Alternate Names

--

UNIT #	PROPERTY MANAGER
201	Owner- Management Company
202	Vacation Home /transient
203	Owner- Management Company
204	Owner- Management Company
205	Carolina @ Realjoy Vacations
208	Owner- Management Company
209	Owner- Management Company
210	Owner- Management Company
211	Colby @ Panhandle Getaways
212	Owner Rental
301	Colby @ Panhandle Getaways
302	Colby @ Panhandle Getaways
303	Primary Residence
304	Colby @ Panhandle Getaways
305	Colby @ Panhandle Getaways
306	Vacation Home /transient
307	Emerald Coast
308	Colby @ Panhandle Getaways
309	Dinah Coombs @ Warren Beach
310	Colby @ Panhandle Getaways
311	Colby @ Panhandle Getaways
312	Colby @ Panhandle Getaways
401	Colby @ Panhandle Getaways
402	Colby @ Panhandle Getaways
403	Vacation Home /transient
404	Owner- Management Company
405	Dinah Coombs @ Warren Beach
406	Owner- Management Company
407	Colby @ Panhandle Getaways
408	Vacation Home /transient
409	Colby @ Panhandle Getaways
410	Dinah Coombs @ Warren Beach
411	Plan to rent within the next year
412	Vacation Home /transient
501	Colby @ Panhandle Getaways
502	Primary Residence
503	Colby @ Panhandle Getaways
504	Vacation Home/transient
505	Patrick Kerwin @ Evolve Vacation
506	Colby @ Panhandle Getaways
507	Colby @ Panhandle Getaways
508	Colby @ Panhandle Getaways
509	Dinah Coombs @ Warren Beach
510	Colby @ Panhandle Getaways
511	Colby @ Panhandle Getaways
512	vacation homne/transient

601	Colby @ Panhandle Getaways
602	Colby @ Panhandle Getaways
603	Colby @ Panhandle Getaways
604	Primary Residence
605	Helen Phillips - irentpcbcondos@yahoo.com
606	Owner- Management Company
607	Primary Residence
608	Vacation home/transient
609	Colby @ Panhandle Getaways
610	Colby @ Panhandle Getaways
611	Colby @ Panhandle Getaways
612	Owner- Management Company
701	Colby @ Panhandle Getaways
702	Owner- Management Company
703	Colby @ Panhandle Getaways
704	Vacation home?
705	Colby @ Panhandle Getaways
706	Primary Residence
707	Owner- Management Company
708	Colby @ Panhandle Getaways
709	Vacation home/transient
710	Colby @ Panhandle Getaways
711	Vacasa
712	Colby @ Panhandle Getaways
801	Owner- Management Company
802	Colby @ Panhandle Getaways
803	Colby @ Panhandle Getaways
804	Vacation home/transient
805	Owner- Management Company
806	Colby @ Panhandle Getaways
807	Renting
808	Colby @ Panhandle Getaways
809	Colby @ Panhandle Getaways
810	Florida Panhandle Property Management
811	Colby @ Panhandle Getaways
812	Vacation home/transient
901	Colby @ Panhandle Getaways
902	Owner- Management Company
903	Colby @ Panhandle Getaways
904	Colby @ Panhandle Getaways
905	Vacasa
906	Colby @ Panhandle Getaways
907	Colby @ Panhandle Getaways
908	Colby @ Panhandle Getaways
909	Owner- Management Company
910	REAL Joy

911	Owner- Management Company
912	Rental
1001	Owner- Management Company
1002	Colby @ Panhandle Getaways
1003	Colby @ Panhandle Getaways
1004	Owner- Management Company
1005	Colby @ Panhandle Getaways
1006	Colby @ Panhandle Getaways
1007	Colby @ Panhandle Getaways
1008	Colby @ Panhandle Getaways
1009	Colby @ Panhandle Getaways
1010	Vacation home/ transient
1011	Colby @ Panhandle Getaways
1012	Vacation home
1101	Book That Condo
1102	Colby @ Panhandle Getaways
1103	Vacation home/transient
1104	Owner- Management Company
1105	Colby @ Panhandle Getaways
1106	Colby @ Panhandle Getaways
1107	Colby @ Panhandle Getaways
1108	Colby @ Panhandle Getaways
1109	Primary Residence
1110	Colby @ Panhandle Getaways
1111	Rental
1112	Colby @ Panhandle Getaways
1201	<u>Florida Panhandle Property Management</u>
1202	Colby @ Panhandle Getaways
1203	Colby @ Panhandle Getaways
1204	<u>Aronov - info@aqua-gulf.com</u>
1205	Colby @ Panhandle Getaways
1206	Helen Phillips - irentpcbcondos@yahoo.com
1207	Helen Phillips - irentpcbcondos@yahoo.com
1208	Owner- Management Company
1209	Vacation home/transient
1210	Owner- Management Company
1211	Colby @ Panhandle Getaways
1212	<u>Aronov - info@aqua-gulf.com</u>
1401	Colby @ Panhandle Getaways
1402	Colby @ Panhandle Getaways
1403	Resident
1404	Vacation home/transient
1405	Colby @ Panhandle Getaways
1406	Colby @ Panhandle Getaways
1407	Owner- Management Company

1408	Colby @ Panhandle Getaways
1409	Owner- Management Company
1410	Primary Residence
1411	Colby @ Panhandle Getaways
1412	Aronov - info@aqua-gulf.com
1501	Colby @ Panhandle Getaways
1502	Colby @ Panhandle Getaways
1503	panhandle
1504	panhandle
1505	Colby @ Panhandle Getaways
1506	Vacation home/transient
1507	sara.verhonich@rabeachgetaways.com
1508	Colby @ Panhandle Getaways
1509	Colby @ Panhandle Getaways
1510	Colby @ Panhandle Getaways
1511	Colby @ Panhandle Getaways
1512	Primary Residence
1601	Colby @ Panhandle Getaways
1602	Owner- Management Company
1603	Colby @ Panhandle Getaways
1604	Colby @ Panhandle Getaways
1605	Colby @ Panhandle Getaways
1606	Helen Phillips - irentpcbcondos@yahoo.com
1607	sara.verhonich@rabeachgetaways.com
1608	Colby @ Panhandle Getaways
1609	Primary Residence
1610	Vacation home/transient
1611	Colby @ Panhandle Getaways
1612	Carolina @ Realjoy Vacations
1701	Colby @ Panhandle Getaways
1702	Colby @ Panhandle Getaways
1703	Colby @ Panhandle Getaways
1704	Vacation home/transient
1705	Carolina @ Realjoy Vacations
1706	Owner- Management Company
1707	Vacation home/transient
1708	Colby @ Panhandle Getaways
1709	Owner- Management Company
1710	Helen Phillips - irentpcbcondos@yahoo.com
1711	Vacation home
1712	Vacation home
1801	Tipsea.pcb1801@gmail.com
1802	Colby @ Panhandle Getaways
1803	Owner- Management Company
1804	Colby @ Panhandle Getaways

1805	Vacation home
1806	Book That Condo
1807	Vacation home/transient
1808	Colby @ Panhandle Getaways
1809	Amber@kitorisbeachrentals@gmail.com - K Tori Vacation Rental
1810	Owner- Management Company
1811	2nd Home
1812	Vacation home/transient
1901	Dinah Coombs @ Warren Beach
1902	Aronov - info@aqua-gulf.com
1903	Colby @ Panhandle Getaways
1904	Dinah Coombs @ Warren Beach
1905	Helen Phillips - irentpcbcondos@yahoo.com
1906	Colby @ Panhandle Getaways
1907	Colby @ Panhandle Getaways
1908	panhandle
1909	Colby @ Panhandle Getaways
1910	Vacation home/transient
1911	Colby @ Panhandle Getaways
1912	Colby @ Panhandle Getaways
2001	Colby @ Panhandle Getaways
2002	Colby @ Panhandle Getaways
2003	Rental
2004	Colby @ Panhandle Getaways
2005	Colby @ Panhandle Getaways
2006	Owner- Management Company
2007	Colby @ Panhandle Getaways
2008	Colby @ Panhandle Getaways
2009	Vacation home/transient
2010	Colby @ Panhandle Getaways
2011	Rental
2012	panhandle
2101	Colby @ Panhandle Getaways
2102	Owner- Management Company
2103	staywithmepcb@gmail.com
2104	staywithmepcb@gmail.com
2105	Colby @ Panhandle Getaways
2106	Owner- Management Company
2107	Vacation home/transient
2108	Colby @ Panhandle Getaways
2109	Aronov - info@aqua-gulf.com
2110	Rental
2111	panhandle
2112	Colby @ Panhandle Getaways
2201	Colby @ Panhandle Getaways

2202	Colby @ Panhandle Getaways
2203	Primary Residence
2204	Primary Residence
2205	Owner- Management Company
2206	Owner- Management Company
2207	Owner- Management Company
2208	<u>Florida Panhandle Property Management</u>
2209	Primary Residence
2210	Colby @ Panhandle Getaways
2211	Colby @ Panhandle Getaways
2212	Primary Residence
2301	
2302	Owner- Management Company
2303	Owner- Management Company
2304	Rental
2305	Resident
2306	Rental
2307	Rental
2308	Colby @ Panhandle Getaways
2309	Helen Phillips - irentpcbcondos@yahoo.com
2310	Colby @ Panhandle Getaways
2311	Colby @ Panhandle Getaways
2312	Resident