

Lisa Smith

From: Office of Commissioner Passidomo
Sent: Monday, January 24, 2022 3:11 PM
To: Commissioner Correspondence
Subject: Docket No. 20200226
Attachments: Docket #20200226-SU; Docket #20200226-SU; Docket No. 20200226-SU; RE. Docket # 20200226-SU

Follow Up Flag: Follow up
Flag Status: Flagged

Please place the attached in Docket No. 20200226.

Thank you!

Lisa Smith

From: David W Adams <dadams@bj-law.com>
Sent: Monday, January 24, 2022 2:25 PM
To: Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo
Cc: Records Clerk
Subject: Docket #20200226-SU
Attachments: EU PSC Sewer system application.docx; Ackerman Study.pdf

Dear Commissioners:

My name is David Adams, and with my partners, I own property at 8356 Little Gasparilla Island (LGI) in Placida, Florida. We have owned our property for approximately 11 years and have purchased water through Little Gasparilla Water Utility which I understand is related to Environmental Utilities (EU).

Lack of Proven Need for Service

I have reviewed the PSC docket and spent some time reviewing the documentation associated with the EU application. I am unable to locate sufficient background facts and documentation to show there is a proven need for the service. The vast majority of LGI houses are vacation properties for which the residents occupy occasionally on the weekends. It is not like there is a heavy nitrogen load coming from the south end of the island. While Charlotte County made reference to nitrogen load studies in their correspondence to the PSC, none of those were conducted at or around the proposed service area. Additionally, the Ackerman study is not comparable for LGI because the Ackerman subdivision contained a plethora of canals near the studied septic systems, which canals increased the plume of nitrogen entering the bay, prior to the StoS conversion. Therefore, additional study and facts demonstrating a proven need for service should be in the record before the commission approves the application.

Sewer Service

I am not aware of anyone requesting sewer service on LGI. However, if there was a proven need, then I would expect Charlotte County to provide the utility. Providing water and sewer is a core governmental function. It is not fair for Charlotte County to shirk its obligation to provide core government services to the ratepayers. It is also unfair to the ratepayers to force them to use a private utility which has an unproven track record for a project of this magnitude. If construction or operation of the sewer system is compromised (such as a hurricane or flooding), then the ratepayers will be left without any means to dispose of raw sewage because the plan requires all homeowners to remove properly functioning septic tank systems. EU does not have the same resources as Charlotte County to mitigate climate change and flooding. Additionally, if Charlotte County undertook the project, then it would be done with governmental bonding and financing which results in a significantly lower cost of capital. For example, EU requires a large lump sum payment for construction of the system, as compared to Charlotte County which allows ratepayers to spread the hookup fee over a long period of time (I believe 10 years). The operating costs would also be spread among the entire Charlotte County population as opposed to the LGI residents. This would result in lower rates and operating costs. Some of the homeowners are on fixed incomes and the abnormal hookup cost and operating fees will force them to sell their properties on the island. As proposed, EU will receive a guaranteed profit for constructing and operating the

Sewer System. As a governmental entity, Charlotte County does not need to make money operating the sewer system, which is better for the ratepayers. Moreover, Charlotte County has the expertise and experience to install and operate complex sewer system such as the one proposed by EU. It seems insincere for Charlotte County to claim that this project is a priority in its long term septic to sewer plan, but is unwilling to schedule and complete the project consistent with its claims that LGI is a priority project to reduce nitrogen load in Charlotte Harbor.

Technical Expertise/Customer Service

The application does not demonstrate any experience or expertise in constructing or operating a sewer system. The ratepayers are at risk if EU is unable to properly construct or operate the system. Charlotte County is in a much better position to design construct and operate the sewer system proposed by the applicant. While I have not had much interaction with the affiliated party to the applicant, Little Gasparilla Water Utility, when we did have billing problems, there was no one who answered the telephone and our billing correspondence was not answered on a timely basis. If ratepayers are required to use EU, they deserve prompt and professional customer service.

Costs and Rates

The documentation attached to Charlotte County's letter to the PSC includes plans and estimates that were based on 2017 dollars. Accordingly, the estimates for construction and operation of the system are grossly understated (considering inflation, labor and cost of materials). Additional information and estimates are necessary in order to make a thoughtful decision of this magnitude. There is a lack of information available for analysis at this time.

Conclusion

For the above reasons, I ask that the Commission deny EU's application to provide Sewer Service at Little Gasparilla Island at this time.

Thank you,

David Adams
813 452 2882

Lisa Smith

From: robinmadden@islanderproperties.com
Sent: Monday, January 24, 2022 2:23 PM
To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo
Cc: Nickolas Zakov
Subject: Docket #20200226-SU
Attachments: Dr Zakov Letter to PSC.docx

Letter from an island resident, Nicolas Zakov, 380 N Gulf Blvd.

Lisa Smith

From: Lindsay Yates <lyates@springsips.com>
Sent: Monday, January 24, 2022 2:10 PM
To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo
Subject: Docket No. 20200226-SU

Commissioners:

My name is Lindsay Yates and I live at 2 Pointe Way on Don Pedro Island. I write to you to state my **opposition** to the application of Environmental Utilities for your approval of a Certificate of Authorization.

I have been a property owner on Don Pedro Island since 2001 and a fulltime resident since 2008. During that time I have replaced a septic system in an older home and installed two septic systems in homes which my husband and I built. The more recent home was completed in 2019. I am not necessarily opposed to central sewer, but I am vehemently opposed to this proposal. There is absolutely nothing about the EU proposal that would inspire any sort of confidence in this operator to build, operate and maintain a system. Many of the letters that have been sent to you were written by people with more expertise than I in the areas of environmental impacts (not just the arguments for septic vs. sewer, but also the environmental impacts of construction of the project on this fragile barrier island), the disadvantages (including additional costs to the homeowner) of a grinder system as proposed by EU vs. a vacuum system, the financial ability and technical ability of the applicant, and the outlandish rates and charges proposed by EU.

I think that previous correspondence on file and the testimony of expert witnesses has proven beyond a doubt that EU does not have the ability to satisfactorily meet the needs of the residents on these islands. Additionally, I personally find it offensive that during his deposition Mr. Boyer when describing his personal observations of seeing human waste on the ground, waste floating around after storms, septic tanks under water, and waste contained in 55 gallon drums did not make it clear that these observations were confined to Little Gasparilla Island, not Don Pedro, Knight or Palm Islands. I guarantee you that those are not the conditions under which I live. It's rather hard to believe that the tourists who continue to pay to rent homes on Little Gasparilla Island are not complaining about the awful odors that Mr. Boyer describes.

On July 14th, 2020, the Charlotte County Board of Commissioners approved a Bulk Sewer Treatment Agreement with EU. This Agreement was entered into with no fanfare, no advance notice to island residents and no (as far as I know) request for proposals from other companies. As far as I know, the County did not even put out a request for competitive proposals. To the best of my knowledge, the County did not consider the financial ability of the applicant, the technical expertise of the applicant nor did they care what the applicant might charge its customers. This was not a civic-minded offer to improve a problem that no one is sure really exists – no water studies have been done; no numbers generated on the number and age of the existing septics – this was a simply a way for EU to profit at the expense of its friends and neighbors.

Central sewer installation?? Maybe. But not by this particular for-profit company. The island residents deserve honesty and professionalism. I have been told by acquaintances of Mr. Boyer that he has indicated that this is "a done deal." I certainly hope that is not true.

I hereby formally request that the PSC deny the application of Environmental Utilities LLC.

Thank you for your consideration.

Lindsay C. Yates
lyates@springsips.com

970-879-1879

Lisa Smith

From: Matthew Weston <mattwestoncontact@yahoo.com>
Sent: Monday, January 24, 2022 2:51 PM
To: Office of Commissioner Passidomo
Subject: RE. Docket #20200226-SU

To whom it may concern,

As a homeowner on Palm Island/Don Pedro Island. I Object to the proposal and ask the PSC to deny the Application for Original Certificate of Authorization. To be straightforward I'm a common sense person and I do not understand all of the reasons why this particular company would like to take on this project but it seems to me that it is not in the best interest of me personally. There are a lot of red flags that gives me caution. In my personal life when there are red flags I take a step back and research more until I'm comfortable with the decision. I sincerely request that you deny EU's request of their application.

I appreciate your service to our community no matter your decision!

Thank you,

Matthew Weston

Mattwestoncontact@yahoo.com