

Antonia Hover

From: Hannah Barker
Sent: Tuesday, March 15, 2022 2:35 PM
To: Commissioner Correspondence
Subject: Docket Correspondence
Attachments: RE DOCKET 20200226; RE Docket #20200226-SU; RE Docket #20200226-SU opposition;
RE docket # 20200226-SU; RE Docket #20200226-SU; RE regarding docket 20200226;
RE docket #20200226-SU; RE Docket # 20200226 Environmental Utilities Support; RE
Docket # 20200226 Environmental Utilities and Support.); RE Docket # 20200226-SU

Good afternoon,

Please place the attached emails in Docket No. 20200226.

Hannah E. Branum
Executive Assistant to Commissioner Clark
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6004

Antonia Hover

From: Office of Commissioner Clark
Sent: Tuesday, March 15, 2022 2:09 PM
To: 'Tammy ORourke'
Subject: RE: DOCKET 20200226

Dear Ms. ORourke,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark
Commissioner
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6038

-----Original Message-----

From: Tammy ORourke <dreamseed99@yahoo.com>
Sent: Friday, February 25, 2022 3:55 PM
To: Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>
Subject: DOCKET 20200226

To Whom This May Concern,

I am a resident of Charlotte County, FL. I am emailing you as I believe sewer is so important to our environment especially barrier islands and I support sewer for Gasparilla and Palm Island.

Sincerely,

Tammy ORourke

Sent from my iPhone

Antonia Hover

From: Office of Commissioner Clark
Sent: Tuesday, March 15, 2022 2:08 PM
To: 'kjell'
Subject: RE: Docket #20200226-SU

Dear Mr. Plotkin,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

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Sincerely,

Gary F. Clark
Commissioner
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6038

From: kjell <kjellone@gmail.com>
Sent: Friday, February 25, 2022 3:08 PM
To: Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>
Subject: Docket #20200226-SU

Dear Commissioner Clark,

The magnitude of the project proposed by Environmental Utilities RE: Wastewater on Bridgeless Barrier Islands, will have a devastating impact on hundreds of animals which live on County land and Private property in the subject project area.

Animals including bobcats, opossums, armadillos, snakes, owls, numerous birds and gopher tortoises are but a few animals that roost, nest, shelter, and forage on the land which will be disturbed.

Since 2008, I have worked with the Gopher Tortoise species on Thornton Key, Knight and Don Pedro Islands, holding a Gopher Tortoise Agent certification (GTA-10-00063) with FFWC, Florida Fish and Wildlife Commission, and from 2017 to present a Registered Agent (RAG-17-00047) with FFWC.

Closely working with Charlotte County's *Code Compliance; Natural Resources; Environmental Specialists; Community Development; Planning and Zoning*, I also affiliate with The Department of Environmental Protection; West Coast Inland Navigation; FFWC State Marine Turtle Program; and, other Environmental groups.

Currently I serve on the board of Bocilla Islands Conservancy, Inc. and also serve as Team Lead for The BICI Gopher Tortoise Conservation Team.

LET'S EXAMINE the GOPHER TORTOISE ... as it pertains to project

The Gopher Tortoise is listed as a THREATENED species, as well as a PROTECTED KEYSTONE species. Its burrow is shared with as many as 350 other animals referred to as commensal species, meaning the species all benefit from the association, and obtain nutrients, shelter, support, or locomotion from the host species.

Gopher Tortoises use multiple burrows and *forage on nearly one hundred low growing foliage plants all of which are essential for the diet this animal.* (Pat Ashton 2008). The tortoise must travel freely among and thru multiple properties to forage in order to satisfy its diverse dietary needs.

The interruption of free roaming due to vegetation clearing, grading, construction, digging, heavy equipment, or staging areas for supplies as the project would entail, would be quite disruptive and dangerous to the health of this species. Stress is proven to be the major cause for reduced immunity subjecting the Gopher Tortoise to illness. (Katherine Gentry)

The hazards and risk of falling into or being trapped in holes, trenches, and the like place the vulnerable tortoise at great risk of injury or death.

FFWC Guidelines states if *"you cannot permanently avoid all tortoise burrows on the development site by 25 feet or more, and suitable habitat will remain on-site following site development"*, the burrow must be excavated. * Island lots are 80 feet wide.

In accordance with this guideline, there will be hundreds of Gopher Tortoise burrows excavated and hundreds will need to be relocated. * There are 1-15 burrows per lot.

WHAT IS THE COST TO EXCAVATE A BURROW & RELOCATE A TORTOISE?

Let's Use a Realistic Example of a "3 Burrow Property"

- Consult & Burrow survey. \$1300
- Excavation of burrow. \$1300-1500 *per burrow* x3 \$3900- \$4500
- FFWC permit in which the 25 ft rule exists. \$250
- A project of this size may impact whether Gopher Tortoises will remain in their home range, likely they will be relocated to a state approved reserve.
\$2500 *per tortoise* x3 \$7500 *some consultants are billing @\$6000 *per tortoise*

Note: As of February, 2022 there is a moratorium on relocating tortoises to all reserves, due to holding capacity. All are operating at maximum capacity. It is unknown when or if this situation will be remedied.

THE TOTAL COSTS FOR ABOVE SCENARIO: \$12,950 – 13,550.

WHO BEARS THOSE COSTS?

What if there are 5 burrows? (20,550)

or, 8 burrows? (31,000)

A few other Facts...

- From 2007-2009, ten island residents were extensively trained on *Gopher Tortoise Natural History; Habitat and Forage; Handling and Care; Data Gathering; as well as hands on Field Work*, by world renown Patricia and Ray Ashton, Ashton Biodiversity Research and Preservation Institute, Inc.
- The islands have served as an example for the State of Florida in demonstrating what stake holders can do in protecting a threatened species.
- Resident yards have been certified and registered by FFWC in the Gopher Tortoise Friendly Yard program.
- The Gopher Conservation Team was asked for input by FFWC in the development of the Friendly Yard program.
- Residents are enamored with Gopher Tortoises and to that end, have landscaped to attract tortoises and many of the commensals. That habitat will be destroyed.

Thank you for your time in reading my comments. Hoping you have a pleasant day.

Respectfully,

Kjell Plotkin

Kjell Plotkin
Resident, Don Pedro Island
941 456 5252

Antonia Hover

From: Office of Commissioner Clark
Sent: Tuesday, March 15, 2022 2:08 PM
To: 'Mike Riley'
Subject: RE: Docket #20200226-SU opposition

Dear Mr. Riley,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark
Commissioner
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6038

From: Mike Riley <mikenriley@comcast.net>
Sent: Thursday, February 24, 2022 3:08 PM
To: Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>
Subject: FW: Docket #20200226-SU opposition

February 23, 2022

Reference docket # 20200226 – Environmental Utilities

Commissioners,

This email is a follow up to my earlier email from below.

I would like to supplement my January 18th email below and my verbal testimony from February 9, 2022.

In cross examination from Mr. Friedman, he read a line from my original email and asked me to confirm if that was true and my opinion – i.e. “public sewers vs private sewers”. In reading from my original email, Mr. Freidman read the below sentence (highlighted in red). I agreed that it was my testimony – HOWEVER, that was out of context to my email because the sentence before makes the assumption that Charlotte County will force our conversion from septic systems to a sewer system in their long range plan and if that happens, THEN, I am in favor of a public sewer and not a private sewer system.

My basic opinion is still that septic systems are the best solution for our Island at this time and a sewer system is NOT NECESSARY. Neither Charlotte County nor EU has done any water or soil testing to prove there is a need for sewers at this time or even to prioritize our island for a 3-5 year plan. Charlotte County’s long range plan is flawed in this respect. Several individuals on island, including myself, have done water testing without producing a negative result on our water quality or proving a need to force abandonment of our current septic systems. Our waters are clear and our residents are responsible in maintaining their septic systems and drain fields, despite Charlotte County’s failure in managing a State required system of monitoring and testing of septic systems.

As for water quality and pollution (the most basic principle in proving a need for a sewer system), I tested my well water 3 years ago and again last year. I started using my well shortly after the PSC approved a significant water rate increase for Bocilla Utilities. My well is located within 100 feet of 1. my septic system to the east, 2. my neighbors septic system to the north, and 3. my neighbors septic system to the south. It is also within 150 feet from my neighbors septic system across the street to the west. My well had not been used for over 10 years. It is considered an open pit well – it is 5 feet in diameter (concrete block walls) and 5 feet deep, with a screened structure around it to avoid mosquito or bug nesting and hatching. It was installed in the 1970’s when the house was built. I did not send my water samples to a lab, but took them to Home Depot who did the water quality test. I was told both times that my water was ‘within the states standards of drinking water’. Based on those results, I converted all my outside spigots to well water, with my inside house usage through Bocilla Utilities. Being environmentally conscious, I use between 1700 and 2200 gallons of water a month from Bocilla Utilities, keeping my water bill at around \$90 per month or 4.5 cents per gallon, still excessive in my opinion. If EU were forced to do water and soil tests, I am confident that they would not find a problem and the need for a sewer system would be negated.

Next, regarding my testimony, is my continued discussion of the design concepts and EU’s ‘quiet’ partnering with Knight Island Utilities. The EU sewer system design as shown on their application has a 6 inch line starting at the Resort gate on Gulf Blvd then dumping into an 8 inch line down Gulf Blvd and eventually off island. As I testified on February 9th, this is not consistent with the rest of the design because it is a ‘beginning point’ for EU’s service area – all other beginning points start with a 3 inch, to a 4 inch, to the 8 inch main, then off island. Please review the system design map included in their application. I do not know what the cost of these larger lines are but the total cost is being placed on the existing EU service area customers, i.e. Knight and Don Pedro Island residents not in the Resort (Down islanders) and LGI residential users. EU’s application shows no “general service” customers, only residential, so EU has no need or purpose for a larger line conveniently beginning at the Resort gate, unless EU plans on hooking up the Resort (Knight Island Utilities). Mr. Boyer has held and continues to hold meetings (one scheduled for next week) on the Resort (which is currently serviced by Knight Island Utilities – under the jurisdiction of the PSC) to discuss the sewer system. Knight Island Utilities is not a part of EU and are not included in EU’s service territory, so there is no need to consult with the Resort or Knight Island Utilities, unless there is a silent, non-discussed side agreement between them, i.e. partnering to help only the Resort, and placing the total cost burden on the remaining non-Resort down island residents and LGI residents.

Discussions on the Resort with Mr. Jack Boyer have been centered around the fact that Knight Island Utilities has a problem with their holding tank and cannot have it filled over half full or there may be an environmental

spill (as I testified on Feb 9th). Knight Island Utilities 'trucks' their sewage off island. The Resort (Knight Island Utilities) wants to connect to EU's main line and have their waste moved off island via EU's transmission lines under the Intracoastal Waterway. The Resort is arguing that they will not pay an individual hook up fee or monthly rates for each resort residence, as all other residents in EU's territory have to pay, and that the Resort only wants to pay a transmission fee through EU's system to get their sewage off island. Knight Island Utilities already has a bulk agreement with Charlotte County, so they simply meter their sewage at the entrance to EU's transmission lines and pay some nominal "transmission fee" to get it to the mainland. **THIS IS UNFAIR AND UNREASONABLE to the Down Island residents and LGI residents who are paying for the entire system without any compensation for use of it by the Resort or Knight Island Utilities. This has not been included in EU's application and has not been considered by Staff in the rate making procedure.** Basically, the hookup fees and rates proposed by EU and diligently studied by the Staff are faulted and inaccurate by the fact of the Resort wanting to "join in", after the fact, without a cost – and the EU sewer system being purposely engineered from day 1 to handle the Resort sewage volume. Again, the total cost being paid by the Down Island and LGI residents, not the Resort.

Let me go one step further. Lemon Bay Lane and Yacht Basin Drive are currently being serviced by Knight Island Utilities, but are included in the EU service area per the application. Mr. Boyer testified under oath that each of the residences/properties in this area will need to pay the individual hookup fees and the scheduled rates to EU even though they have already paid these fees to Knight Island Utilities. A definite double cost for those residents. However, EU and Knight Island Utilities (Resort) are trying to do just the opposite with the Resort residents – no hookup fee and limited charges – all at the expense of EU's service area customers – not the Resort. If Knight Island Utilities is servicing this area, how come EU suddenly gets priority to serve it above Knight Island Utilities? A question only the staff and Commissioners can answer. Again, a fault with the application and rate justification studies.

This type of politics on our island is long standing with the Down Islanders paying for the Resort residents, whether in barge fees (owned by the Resort), golf cart repair, water usage, or now, the attempted Sewer application. Enough is Enough.

Please hear the voices of the Down Islander residents and the LGI residents, **DENY THIS APPLICATION FOR CERTIFICATE** and let the majority of the island residents (non-resort) handle their sewage through their existing safe, properly maintained septic systems, until a TRUE NEED is proven. Knight Island Utilities and the Resort need to handle their sewage problem themselves. If they want to become a part of EU, they need to abandon their Utility designation and become part of the EU service territory with all the individual residence hookup fees and rates equal to everyone else serviced by EU. **BE FAIR AND EQUITABLE.**

I guess it gets down to the idea that **EU has done inadequate engineering studies to properly estimate the true costs**, and Mr. Boyer complains about the cost of doing so BEFORE receiving the certificate, **BUT, has done adequate design and engineering studies to enable him to hook up the Resort and handle their sewage without mention in their application or statements or rate justification.** This application is for one reason only – **personal profit for Mr. Boyer.**

EU needs to prove the need for sewers, then do complete and adequate engineering studies to know the actual cost, then design the system for his territory only (and not the Resort or Knight Island Utilities), and then ask for the certificate. Don't put the cart before the horse. **Deny this application** and force future applicants to do all the leg work before asking for a financially valuable waste water/sewer certificate.

Lastly is the Easement issue that I testified about on February 9. EU is asking for an easement on each residences private property – WITHOUT COMPENSATION. He is asking to be given private property rights not allowed without a condemnation action or an imminent domain proceeding. He wants to put the blame on the

Commission because, if approved, they (the Commissioners) said he could do it. Also, cleverly avoided in the technical hearing, EU's application is requesting other costs, like permit fees, electrical service modifications, crushing of the old tank, backup power to avoid an environmental spill, etc. be 'PAID BY THE HOMEOWNER'. Mr. Boyer's testimony states that these items are supposedly included in one of the lump items, but his application and basic customer agreement are more specific and put the cost burden on the homeowner. Mr. Boyer stated that he needed to do more studies and wasn't sure exactly what all was in the lump numbers.

Bottom line, this application has not proven need, has inadequate engineering studies to do fair and equitable rate making, has been tainted by a quiet, non-discussed partnering with the Resort and Knight Island Utilities to hook the Resort up placing all the costs on the EU service area residential customers (down island residents and LGI residents).

I suggest that the Commission or staff send a representative to the Mr. Boyer meetings on Palm Island Resort next week and get the real answers. These meetings are informal, but it would let the Commissioners and Staff know what side agreements Mr. Boyer, EU, Knight Island Utilities, and the Resort are making and the real reasons for the inconsistencies in the sewer system design and lack of any general service or wholesale customers in his application, causing the rate justification to be flawed and inaccurate.

PLEASE REMEMBER, Knight Island Utilities is also under PSC jurisdiction in service area, rates, etc. and as far as I am aware, it has made no application to tie into the lines of another Utilities (EU) or transfer a portion of their service area to another Utility, or enter into a bulk agreement with another Utility.

PLEASE DENY THIS APPLICATION

Thank You

Michael Riley
303-570-7710

From: Mike Riley [<mailto:mikenriley@comcast.net>]
Sent: Thursday, January 20, 2022 5:23 PM
To: 'clerk@psc.state.fl.us' <clerk@psc.state.fl.us>; 'commissioner.LaRosa@psc.state.fl.us' <commissioner.LaRosa@psc.state.fl.us>; 'commissioner.clark@psc.state.fl.us' <commissioner.clark@psc.state.fl.us>; 'commissioner.passidomo@psc.state.fl.us' <commissioner.passidomo@psc.state.fl.us>
Subject: Docket #20200226-SU opposition

January 18, 2022

Reference: Docket #20200226 – Environmental Utilities, Inc. (EU)

To Whom it may concern:

My name is Michael Riley and I own and live on Don Pedro Island at 220 Kettle Harbor Dr. which is a property within the service area of the proposed central sewer system, Docket #20200226-SU

I am in opposition to this application and REQUEST THAT THE PSC DENY Environmental Utilities application for an Original Certificate of Authorization.

My arguments against this application go to the 4 criteria used to grant the application:

1. NEED FOR SERVICE:

Don Pedro island has no necessary or urgent need for the proposed central sewer system. No documentation has been given that there is a problem or pollution in our waterways or canals. To my knowledge, No water or ground testing has been done by the applicant. All waste water is currently handled with Septic systems, that must be approved and permitted by Charlotte County prior to installation. In addition, all individual septic systems must be pumped out and tested on a regular basis to insure proper, safe, and adequate operation per Charlotte County code. There have been no pollution or spills, small or disastrous, that I am aware of, in the 12+ years I have lived on the island. Several independent companies are used to pump and test these systems, all approved by Charlotte County.

Understanding that the Charlotte County long range plan calls for removal of septic systems, a private sewer system is not the answer. It would be in everyone's best interest to have a public entity handle any sewer system so there is transparency, guaranteed cost control, unquestionable financial ability to build and operate, and avoid the need for stakeholders to 'pay a profit' to a private individual for a "utility".

Bocilla Islands Conservancy, Inc. (a 501(c)(3) public charity on island) owns and maintains conservation land and easements as well as providing awareness of potential environmental issues (pertaining to flora, fauna, protection of endangered species, removal of invasive plants, and water pollution) on our islands. In 2020, they sold and/or donated 81 mini reefs as part of the '1,000 reef challenge' participated in by numerous cities and communities on or near the barrier islands in south west Florida. They plan on doing another campaign to try to get an additional 100 reefs in place on our island in the near future. These mini reefs help keep our waterways clean and create a habitat for growing smaller fish and sea life.

The Charlotte County Director of Utilities supported EU's application with a written letter to the PSC, but I am not sure that the Charlotte County Administration does. This Director of Utilities recently and suddenly resigned his position (around the time depositions for EU were held)...and according to emails between him and Jack Boyer he was a close ally and friend of Jack Boyer. This alone lends itself to the applicants fitness.

2. FINANCIAL ABILITY:

The applicants ability to adequately and safely build and finance the proposed central sewer system is questionable, at best. EU as a company does not have the financial capability to fund a project of this magnitude without a "contribution for aid in construction". Whether this contribution is from a bank or financial institution (loan) or another unidentified entity (potential partner or owner) is not known. The latest statement (in depositions) is that the owner of EU, Mr. Jack Boyer will finance the entire project personally, but his personal financial statements or financial capability are only available to the PSC staff. I am a former CPA with utility rate making experience and I am unable to get copies to evaluate. There are too many unknowns and financial information is strategically being withheld by attorney Martin Freidman.

The applicant has not done adequate engineering studies to be able to justify the estimated costs of this project. EU is attempting to get the certificate first, then spend the money to do the engineering studies – in other words 'the cart before the horse', as the certificate has enough value in itself to allow EU to move forward in trying to get 'contributions in aid of construction' Aid. The actual cost of installation of the system is unknown and the estimated initial cost to hook up to this system has varied from \$20,000 to 11,000 to 13,221 since the application was filed – definitely an inadequate study and an estimate that could vary significantly, generally higher. EU needs to do additional and complete engineering studies to enable them to know the actual cost – before applying for certification.

3. TECHNICAL EXPERTISE:

Jack Boyer (owner of EU) has experience with operating a small water utility on Little Gasparilla Island for many years, but **NO EXPERIENCE WITH WASTE WATER.** Mr. Boyer hired Martin Friedman, a well-connected utility attorney, to handle his application, so he can probably hire competent advisors, constructors, etc. to build and

operate a central sewer system. Unfortunately, it is the stakeholders, the residents of the Islands, that must bear the cost of these highly paid consultants and advisors.

Mr. Boyer's experience as a water small utility operator supposedly includes tapping into the Don Pedro State Park water system and selling their (the State parks water supply) water to his customers (the residents of Little Gasparilla Island) and hooking up new water customer residents on Little Gasparilla Island without adequate licensing and delaying payment for the Charlotte County hookup fees per Charlotte County's agreement. Obviously he has experience in how to make money for himself whether ethical or not.

The system EU is proposing is supposedly the lowest cost to build but the highest cost to maintain. Looking at other island communities including the Florida Keys, as well as personal experience operating a pumping station in multiply businesses I owned, a vacuum system seems to be the best and preferred type. EU is proposing a system requiring a pumping station at each residence to push the waste. This type system includes a small tank and a grinder pump at each residence. Being located on a barrier island, we have a lot of corrosion from the salt air causing the pumps to be replaced, possibly on 5 year interval's.

Being on a bridgeless barrier island we are subject to many things the mainland is not. We have a ferry to contend with that operates from 6:30 am to 10:00 pm (slightly later on weekends) and does not operate if winds exceed 45 mph. We are also subject to more electrical outages than the mainland. EU has not addressed how the sewer system will be serviced in the event of a major storm failure or adverse conditions. If our electrical service is out for an extended period of time, the small storage tank at each residential pump, could overflow creating a localized spill or leak, which could become catastrophic in a major storm. A generator would be required (at the homeowners expense) to keep the sewage moving, where we do not have this issue with our current approved septic systems. There is also the increased risk of a central sewer system leak into the intra-coastal waterway with a potential leak at the subaqueous crossing – pollution at its best. Look back at the hurricane that hit Ft Myers Beach community which was devastated by waste water and closed for over 10 days after the hurricane because there was not a backup generator in place to move the waste off island.

4. FAIR AND EQUITABLE RATES & CHARGES:

This is a total unknown. EU has done inadequate engineering studies to properly evaluate 'actual' costs, only supplying estimates, which have changed dramatically over the period of application. The hookup fees have varied from \$20,000 per residence to \$13,221 and this does not include the cost of a customer installed separate electric panel and landscape/hardscape modifications or changes to install a grinder pump and to crush and fill the septic tank area.

Even using his estimates, which should be considered the lower end of the cost structure, the proposed rates are \$178.45 per month for sewer service only. This is roughly two times the rate Rotonda pays – and that rate includes **both water and sewer**.

I currently pay \$78 to \$90 per month for water only and that is with me personally and strictly controlling my volume, which runs between 1,800 and 2,200 gallons per month (well below the 3,000 average customer water consumption). I consider our water rates to be excessive [even though these rates were approved by the PSC] and as proposed, our water/sewer combined rates would be in the neighborhood of \$275 to 300 per month – very excessive.

Other items that I feel are important in my opposition to this application:

Without proof of need, discussed above in item 1, there is an inherent cost to each resident because we will be required to hook up to the central sewer within 1 year. Many residents have recently built and installed new septic systems and many have repaired or replaced the drain fields to ensure safe adequate operation. This proposal allows for no "grandfathering" of newer septic system or recently repaired systems.

If approved, there is no single point of contact for general oversight of this private sewer system. The PSC only approves certification and then only regulates rates and charges. Multiple other agencies including Charlotte County, DEP, Army Corps, etc. oversee or regulate their specific areas so we have no one point of contact.

If the county builds and operates the sewer system, they are the one point of contact for all issues....again, a private entity is not in the best interest of the residents and stakeholders.

The Palm Island Transit ferry is a significant problem not only in construction but also maintenance. The ferry is just about at capacity during season, and this would cause further delays (of over an hour), just in access to and from the island by increasing the construction traffic, probably for several years.

The individual residence pump and holding tank is planned to be on the homeowners/stakeholders property and EU is trying to claim an easement from the sewer pump and holding tank to the road connection without compensation.

Many of us on the island do not have the excess cash funds to pay for hookup. EU's application does not allow for a deferred payment plan, only a cash up front program.

Development always carries a toll on communities, whether time, delays, cost, noise pollution, air pollution, loss of life style, etc. Island residents enjoy a quiet environment with open space, but pay for it in time delay waiting to cross to the mainland by ferry. This project will for many years cause substantial trees and landscaping to be removed, increased dust pollution and traffic from construction, increased noise from heavy equipment, invasion of our own property in crushing our existing tanks and installing a new tank, pump, lines, and electrical, and an excessive cost increase for waste water removal. This does not even take into consideration each homeowners loss by a general easement grant to EU without compensation to the homeowner.

Once again, I formally request the PSC to deny EU's application for a private sewer system on Don Pedro Island.

Thank you

Michael Riley
mikenriley@comcast.net

Antonia Hover

From: Office of Commissioner Clark
Sent: Tuesday, March 15, 2022 2:07 PM
To: 'Marie McCaughan'
Subject: RE: docket # 20200226-SU

Dear MS. McCaughan,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark
Commissioner
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6038

From: Marie McCaughan <riemac10@gmail.com>
Sent: Thursday, February 24, 2022 11:59 AM
To: Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>
Subject: docket # 20200226-SU

To Whom It May Concern:

I am concerned with the forced sewer on Little Gasparilla Island. 8166 Little Gasparilla Island. I use my island house in the summer to spend time with family and friends. There are many issues to consider here. First please be aware that the residents and homeowners of property on Little Gasparilla Island contribute significantly to the County tax base and receive very few services. We do not have/get road maintenance or trash/garbage pick-up. We are prohibited from putting our household waste in the dumpsters located at the county ramp. These are just a few of the amenities that the other residents of Charlotte county enjoy that we do not have.

1. One of the concerns is the monthly cost. I currently own a residence in Englewood in the Grove City area. The cost of water and sewer is in line with the other areas that I have lived in before. The cost of water on Little Gasparilla Island is 4 times the cost of other areas. The proposed monthly sewer cost is going to be 3

times the cost of water. This is not fair. If you look at the cost of water and sewer and garbage that the mainland residents pay and compare it to what the projected cost to LGI residents is, you can easily see the disparity.

2. The lack of technical expertise of the EU is a concern. When they installed the water mains they were not even placed in the easements. That is where the utilities were/are supposed to be located. So where are they going to place the sewer lines? I could easily hit and damage the water main by just digging a hole to plant a tree. Not planting it is the easement but on my private property. Again what happens with the sewer. water is one thing to have running all over but sewage would be an environmental nightmare.

3. I do not feel that there is a proven need for a central sewer. If the islands floods during a storm, yes the septic systems are flooded, but if there is a central sewer those lines will be flooded also. there will still be pollution. I understand that many of the septic systems are old and poorly maintained but when they fail they have to be replaced and the Health Department has strict guidelines that are to be followed.

There are other issues to consider but I will not go into them all. I never asked for a sewer, I do not think it is needed. T

Sincerely

Marie McCaughan, Professional Engineer

Antonia Hover

From: Office of Commissioner Clark
Sent: Tuesday, March 15, 2022 2:07 PM
To: 'JAYNE KEBE'
Subject: RE: Docket #20200226-SU

Dear Ms. Kebe,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark
Commissioner
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6038

From: JAYNE KEBE <kebefam@sbcglobal.net>
Sent: Wednesday, February 23, 2022 8:15 PM
To: Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>
Subject: Docket #20200226-SU

Dear Commissioner Clark:

My name is Jayne Kebe and I am a property owner at 18 Palm Drive on Knight Island. We have owned the property since 2012 and I have lived here as a full-time resident since 2016.

With this email, I am formally **objecting to the proposal by Environmental Utilities for a central sewer line for Don Pedro and Knight Islands. I am formally asking the PSC to deny the Application for Original Certificate of Authorization** for this proposed central sewer system.

I worked professionally as an environmental engineer for approximately 25 years specializing in wastewater treatment and hazardous waste. . In my graduate studies, I took semester classes on biological wastewater treatment and unit operations. I have reviewed the professional experience of

Environmental Utilities and I can attest that this company and its owner do not have the education, experience and technical expertise to be constructing and maintaining such a complex design system. I am aware of **the criteria that the PSC will use to grant Certification** including the need for service (environmental impacts, development concerns), financial ability of the applicant, technical expertise of the applicant and fair and equitable rates and charges. I do not understand how this lack of experience complies with the technical expertise criteria listed above.

In addition, I have been a grants writer for the non-profit organization, Bocilla Islands Conservancy Inc. on Knight and Don Pedro Islands. We have been obtaining grants and working with the endangered gopher tortoise preservation for over seven years. I do not see anything in EU's plans addressing this issue of the disruption of the tortoises habitats per the installation of this sewer system. Please take this into consideration during your evaluation of this project.

Thank you in advance for your consideration of my email.

Sincerely,

Jayne Kebe

18 Palm Drive, Knight Island, Placida, FL

kebefam@sbcglobal.net

Antonia Hover

From: Office of Commissioner Clark
Sent: Tuesday, March 15, 2022 2:06 PM
To: 'Sunrise Bay at Little Gasparilla Island'
Subject: RE: regarding docket 20200226

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark
Commissioner
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6038

From: Sunrise Bay at Little Gasparilla Island <sunrisebaylgi@gmail.com>
Sent: Wednesday, February 23, 2022 11:00 AM
To: Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>
Subject: regarding docket 20200226

Good Morning,

Yesterday we received this extremely outdated letter from Environmental Utilities, LLC regarding submitting our comments and the now previous meetings on February 8/9.

This is outrageous that they did not send this out until now. How many of our neighbors never received this either? Please continue to keep things like this at the forefront of your minds.

Thank you,

Korrie Stevenson

9700 Little Gasparilla Island
Placida, FL 33946

Antonia Hover

From: Office of Commissioner Clark
Sent: Tuesday, March 15, 2022 2:06 PM
To: 'Lube, Matthew W.'
Subject: RE: docket #20200226-SU

Dear Mr. Lube,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark
Commissioner
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6038

From: Lube, Matthew W. <Matthew.Lube@orlandohealth.com>
Sent: Monday, February 21, 2022 2:13 PM
To: Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; commissioner.passidomo@psc.state.flu.us
Subject: docket #20200226-SU

Dear commissioners:

This e mail is in reference to the sewer proposal on Palm Island.

I am Matt Lube, a home owner on 290 Kettle Harbor Drive.

I am asking that the PSC deny EU's application for wastewater service.

First and foremost, I do not feel there is a proven need for the service, and it was not requested by me. Many (most) of my neighbors feel the same.

There is a tremendous amount of information that is lacking, especially when it comes to the financing of the project. I already pay a huge amounts of insurance, flood insurance as well as taxes on our home – and quite frankly I’m not sure I can afford the potential costs to set up / and maintain this service – that we feel is not necessary. The lack of technical expertise of the EU concerns me, as do the anticipated (many of which are unknown) costs of this project.

My wife’s parents built one of the first 20 homes on this Island. We all are fortunate to own a BEAUTIFUL, relatively untouched , unspoiled piece of Florida – please help us keep our little island that way.

Sincerely -

Matthew W. Lube

Property Owner, Palm Island Estates FL

This e-mail message and any attached files are confidential and are intended solely for the use of the addressee(s) named above. If you are not the intended recipient, any review, use, or distribution of this e-mail message and any attached files is strictly prohibited.

This communication may contain material protected by Federal privacy regulations, attorney-client work product, or other privileges. If you have received this confidential communication in error, please notify the sender immediately by reply e-mail message and permanently delete the original message. To reply to our email administrator directly, send an email to: postmaster@orlandohealth.com .

If this e-mail message concerns a contract matter, be advised that no employee or agent is authorized to conclude any binding agreement on behalf of Orlando Health by e-mail without express written confirmation by an officer of the corporation. Any views or opinions presented in this e-mail are solely those of the author and do not necessarily represent those of Orlando Health.

Antonia Hover

From: Office of Commissioner Clark
Sent: Tuesday, March 15, 2022 2:06 PM
To: 'W. Kelly Boyer'
Subject: RE: Docket # 20200226 Environmental Utilities Support

Dear Mr. Boyer,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark
Commissioner
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6038

From: W. Kelly Boyer <wk_boyer@hotmail.com>
Sent: Thursday, February 17, 2022 11:59 AM
To: Commission Clerk <CommissionClerk@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Chairman Fay <Commissioner.Fay@psc.state.fl.us>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>; Office of Commissioner Graham <Commissioner.Graham@PSC.STATE.FL.US>
Subject: Docket # 20200226 Environmental Utilities Support

Hello Commissioners,
I am a homeowner on Little Gasparilla Island at 9390 LGI.

I am in **full support** of the septic to sewer conversion.

Thank You,
William Boyer

Antonia Hover

From: Office of Commissioner Clark
Sent: Tuesday, March 15, 2022 2:05 PM
To: 'Brian Callahan'
Subject: RE: Docket # 20200226 Environmental Utilities and Support. :)

Dear Mr. Callahan,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark
Commissioner
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6038

From: Brian Callahan <mrbricallahan@gmail.com>
Sent: Wednesday, February 16, 2022 3:03 PM
To: Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>
Subject: Docket # 20200226 Environmental Utilities and Support. :)

To whom it may concern,

My name is Brian Callahan and I am a full-time resident on Little Gasparilla Island and I support the Sewer project.

I don't believe there is much actual opposition to the idea on the island and I am surprised by the hearings I have recently been made aware of. It seems to me that it is just the same handful of people that seem to still be angry about the water project and they have made it a personal issue with Jack Boyer. I have a personal issue with these few being allowed to stall progress for the majority of us that are in favor. Not to mention the cost of the legal battles that eventually the rest of us have to pay for. Unfortunately sometimes the only wheel that gets attention is the squeaky wheel.

I don't think it takes a lot to understand that sewer is better than septic for the Island and the surrounding environment. I understand no one wants to be told what to do but let's just be honest. Is there one reason EU could not complete the project without success? I have not heard any evidence to suggest otherwise.

I think that with a few exceptions money is what is really motivating the Nay Sayers. Unfortunately it's one of the same reasons not all the septic systems are being maintained as they should be. That and septic is not something most people understand. It's not straight forward like traditional sewer. I suspect that over a period of time the sewer will also likely be cheaper than the cost of properly maintaining and replacing a septic and not everyone understands that.

That brings me to the last thing I want to say. I don't think it is fair to the people that have had to install a new septic systems knowing that sewer is on the way. I believe the right thing to do is to offer some sort of credit or non conforming temporary arrangement during the transition period. I know these things are pretty standard during these kind of projects other places and probably would be here as well but I think that some of the opposition would be different if that was not an issue.

Thank you for taking the time to read my email.

If you would like to discuss the matter further please feel free to call me.

Brian Callahan
5403530746

Antonia Hover

From: Office of Commissioner Clark
Sent: Tuesday, March 15, 2022 2:05 PM
To: 'Dale Novak'
Subject: RE: Docket # 20200226-SU

Dear Mr. and Ms. Novak,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark
Commissioner
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
(850) 413-6038

From: Dale Novak <dnovak@novakcreative.net>
Sent: Wednesday, February 16, 2022 1:41 PM
To: Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>
Subject: Docket # 20200226-SU

Dear Commissioners:

On April 21, 2022 the PSC staff is scheduled to make their recommendation with regards to Docket # 20200226-SU.

I wanted to write you to express our position on this matter including factual analysis of the proposal by Environmental Utilities (EU).

We are currently in the process of building a home on Don Pedro Island. It will be located at 611 Bocilla Drive, 33946, which is in the EU service area.

First and foremost, I find it incredibly disconnected, and rather impossible to believe that a “start up, for profit” utility service with absolutely no experience in designing, building, implementing and servicing a sewer utility is even being considered. How is this possible? Imagine if you can, boarding a 747 and being told over the PA system that the pilot that will be operating the aircraft today has never flown anything in his life, has zero experience in aviation and has absolutely no idea how to fly a 747. Would you sit quietly in your seat and just say “oh well, I hope this goes okay?” Or, jump out of your seat and head for the exit?

That is precisely what is happening here. We are all preparing to board our sewer flight with a start-up company with zero experience other than operating a poorly operated insignificant water system on Little Gasparilla Island.

So what drives them (the EU) to want to do this? Profit, plain and simple. At the total and unfettered expense of the property owners in the proposed service area. Not their expense. Ours. They are burdening all of the expenses on the property owners. Further, Charlotte County is mandating that we hook up to the system. I truly feel that this story line is impossible to believe. Yet, here we are.

I also find it unconstitutional to “mandate” that a private property owner shall be required (mandated) to participate in a system operated by a private for profit company. But, that’s something we can let the Attorneys debate.

Based on the handout provide by the EU, the “proposed” cost of implementing the service comes to \$13,280.85 per property owner. That’s just to get our home connected to the service. But, why stop there? The proposed monthly cost is \$256.66 per month based on 4,000 gallons of use. It ratchets up to \$472.48 if you go over the 4,000 gallons. Compared to the current sewer rates provided by Charlotte County (and posted on their website) for the same 4,000 gallon use it would be \$67.22, or over 380% more for the EU’s proposed costs. Granted, the service will be on a barrier island which would likely cost more, but nearly 400% more? Does that sound reasonable to the PSC?

Plus, for every homeowner to be “forced” to pay the EU an additional \$13,280.85 just to initiate service is outrageous. It’s not realistic. This is an egregious assault on our property rights and freedom to choose if we want to use the service or not.

Our home will be built soon. We will likely pay anywhere from \$25,000 to \$50,000 to install our entirely up to code septic system. Charlotte County will permit and inspect the system. We will have to meet certain requirements to accomplish this in an environmentally sound way. The system will need to be inspected as well. That is part of our island life and we accept it. We don’t want to add nutrients to the water any more than any other island residents. But, to “require us” to then dig up and remove this brand new system a year from now leaves us speechless. Is the EU going to compensate us for the cost of not only removing our system, but the cost to install it? Keep in mind, we are doing everything by the book. This same scenario would be playing out island wide and the costs could be in the millions to decommission and remove septic systems. More costs, and more money, to burden the property owners.

No part of the EU’s proposal addresses the costs to the property owners. Every homeowner on the island could be “mandated” to spend \$25,000-\$35,000 just to comply with this proposal. I expect there to be court battles with regards to this if it is approved. It’s inevitable.

To continue with my objections, what happens if there is a failure of the system? Does the EU have enough cash reserves to handle an environmental catastrophe? Do they have the crews and equipment to address a failure caused by a storm, pipe break, or failure of the system due to negligence or the improper installation of the system? Or, is it their plan to simply pass on ALL of the costs to the property owners — in a similar fashion as their current proposal? The PSC needs to address these real concerns.

I think I speak for many islanders that we all want to protect our water quality. But all the issues currently present in our waterways are NOT due to septic systems, but rather the releases from Lake Okeechobee into the Caloosahatchee river. It's been documented and proven and a known issue by the State of Florida, Environmentalists and the Federal Government, including the Army Corp of Engineers. There is no crises being caused by the properties on the chain of island in the EU's proposed service area. None. Zero. In fact, many of the homes are only occupied seasonally or sporadically throughout the year. The EU wants to create a crises where none exists.

The bottom line is that the EU's proposal is all about generating a profit for the stakeholders in the company. Nothing else — all at the expense of the property owners who choose to live on this very special chain of barrier islands. As a Florida resident, and native of the great State of Florida, I respectfully plead with the PSC to deny this application.

Regards,

Dale & Julie Novak
611 Bocilla Drive
Placida, FL 33946
dnovak@novakcreative.net
920.664.1088