

Antonia Hover

From: Antonia Hover on behalf of Records Clerk
Sent: Thursday, May 2, 2024 11:01 AM
To: 'DCarlisle@dgfirm.com'
Cc: Consumer Contact
Subject: FW: Objection to Application for Original Wastewater Certificate - Environmental Utilities, LLC (Docket No. 20240032-SU)
Attachments: 24-04-30 PSC Objection Letter Hideaway-EU (00634282).PDF

Good Morning, Debbie Carlisle.

We will be placing your comments below in consumer correspondence in Docket No. 20240032, and forwarding them to the Office of Consumer Assistance and Outreach.

Thank you!

Toni Hover

*Commission Deputy Clerk I
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
Phone: (850) 413-6467*

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From: Debbie Carlisle <DCarlisle@dgfirm.com>
Sent: Thursday, May 2, 2024 10:58 AM
To: Records Clerk <CLERK@PSC.STATE.FL.US>
Cc: Nicolas Porter <nporter@dgfirm.com>; Tiffany Plamondon <tplamondon@dgfirm.com>; Martin S. Friedman, Esq. <mfriedman@deanmead.com>
Subject: Objection to Application for Original Wastewater Certificate - Environmental Utilities, LLC (Docket No. 20240032-SU)

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Good Morning,

Please see attached correspondence from Nick Porter.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Debbie Carlisle

Legal Assistant to
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Nicolas Q. Porter
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May 2, 2024

Via Electronic Filing

Commission Clerk
Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Clerk@psc.state.fl.us

**Re: Objection to Application for Original Wastewater Certificate –
Environmental Utilities, LLC (Docket No. 20240032-SU)**

Dear Public Service Commission Clerk,

This firm represents the Hideaway Bay Beach Club Condominium Association, Inc. (“Hideaway Bay”), a condominium association which owns and manages the common areas and assets of the Hideaway Bay Beach Club Condominium, located on Little Gasparilla Island, Charlotte County, Florida. The assets managed by Hideaway Bay include an existing wastewater treatment facility permitted by the Florida Department of Environmental Protection, which currently provides wastewater service to the residents of the Hideaway Bay Beach Club Condominium and the Placida Beach Condominium. The application materials submitted by EU indicate that Hideaway Bay is located within EU’s proposed service area. Given these circumstances, Hideaway Bay would be substantially affected by the requested Certificate of Authorization sought by Environmental Utilities, LLC (“EU”) as reflected in PSC Docket No. 20240032-SU. Hideaway Bay received written notice of the application dated April 3, 2024.

Hideaway Bay objects to the issuance of the requested wastewater certificate on the following grounds:

1. EU has not demonstrated a need for the wastewater service proposed in its application. Among other reasons, Hideaway Bay already provides wastewater service to its members through its existing permitted wastewater treatment facility and collection system.
2. EU has not demonstrated consistency with Charlotte County’s Sewer Master Plan or Comprehensive Plan. The Plans do not contemplate the establishment of the

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PROFESSIONAL ASSOCIATION

- utility as proposed in the application, and conflict with the consideration of Hideaway Bay's existing facility described in the Sewer Master Plan.
3. EU has not demonstrated that its proposed service will not compete with or duplicate the service provided by another system. Among other reasons, Hideaway Bay already provides wastewater service to its members through its existing permitted wastewater treatment facility.
 4. EU has not demonstrated that it has the financial ability necessary to fund the proposed utility.
 5. EU has not demonstrated it has the technical ability to provide service to the requested territory.
 6. EU has not demonstrated it has the right to access the continued use of the land upon which the utility facilities will be located.
 7. EU has not demonstrated that proposed rates and charges comply with applicable PSC requirements.
 8. EU has not demonstrated that the proposed certification is in the public interest.

Based on the above, and EU's failure to otherwise demonstrate that it has complied with the requirements of applicable PSC regulations, Hideaway Bay respectfully requests that EU's application be denied.

Sincerely,

de la Parte, Gilbert, McNamara
& Caldevilla, P.A.



Nicolas Q. Porter

cc: Martin S. Friedman, Esq. (mfriedman@deanmead.com)