

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide wastewater service in Charlotte County by Environmental Utilities, LLC.

DOCKET NO.: 20240032-SU
FILED: September 17, 2024

**LITTLE GASPARILLA ISLAND PRESERVATION ALLIANCE, INC.,
PALM ISLAND ESTATES ASSOCIATION, INC., AND LINDA COTHERMAN'S
JOINT MOTION FOR CONTINUANCE OF TESTIMONY AND EXHIBIT DEADLINE**

Little Gasparilla Island Preservation Alliance, Inc., Palm Island Estates Association, Inc., and Linda Cotherman (collectively, “Movants”), through undersigned counsel and pursuant to Rule 28-106.210, Florida Administrative Code, and the Order Establishing Procedure dated August 12, 2024, file this request for a continuance of Movants’ testimony and exhibit deadline, which is currently scheduled for October 18, 2024.

Rule 28-106.210, Florida Administrative Code, provides:

The presiding officer may grant a continuance of a hearing for good cause shown. Except in cases of emergency, requests for continuance must be made at least five days prior to the date noticed for the hearing.

On September 24, 2024, Charlotte County declared a local state of emergency due to then-Tropical Storm Helene. This declaration included an evacuation order for Charlotte County’s barrier islands, including Little Gasparilla Island, where Movants (and their members) are located and were required to evacuate from. *See* Charlotte Cnty., *Charlotte County State of Emergency Declared, Evacuations Ordered*, <https://www.charlottecountyfl.gov/news/charlotte-county-state-of-emergency-declared-evacuations-ordered.stml> (Sept. 24, 2024). Tropical Storm Helene quickly developed into a Category 4 major hurricane, with an extreme threat of flooding for large portions of Florida’s Gulf Coast, including Charlotte County’s barrier islands. *See* Charlotte Cnty., *Flooding Safety*, <https://www.charlottecountyfl.gov/news/209362-flooding-safety.stml> (Sept. 26, 2024). Unfortunately, the risk of flooding came to fruition, with widespread flooding in Charlotte

County, caused by an estimated storm surge of five to seven feet. See Charlotte Cnty., *County Urges Residents to Stay Off All Roads*, <https://www.charlottecountyfl.gov/news/county-urges-residents-to-stay-off-all-roads.shtml> (Sept. 26, 2024); see also Fox 4, *Manasota Key digs out from piles of sand left by Helene’s storm surge*, <https://www.fox4now.com/north-port-inglewood/manasota-key-digs-out-from-piles-of-sand-left-by-helenes-storm-surge> (Sept. 30, 2024).

As a result, Movants (and their members) are left to recover from the devastating flooding caused by storm surge from Hurricane Helene. Impacts include but are not limited to: electricity and internet outages, limiting ability to do research or work on testimony; extensive property cleanup, including removal of sand from properties and disposal of damaged household items and flooded flooring and drywall; and damage assessments and insurance claims. Simply put, Movants and their experts on the island need time to recover from this historic flooding event and cannot focus the appropriate amount of effort on their pre-filed testimony and exhibits at this time. As such, Movants request a continuance of two weeks for the following deadlines, which do not impact the final hearing schedule. The requested continuances will not prejudice the Utility in this matter because Movants propose that their deadlines be continued for an equal amount of time to Movants’ requested continuance.

Activity	Current Deadline	Proposed Deadline
Intervenors’ testimony and exhibits	October 18, 2024	November 1, 2024
Staff’s testimony and exhibits, if any	October 25, 2024	November 8, 2024
Rebuttal testimony and exhibits	November 22, 2024	December 6, 2024
Discovery deadline	January 3, 2025	January 3, 2025 (unchanged)
Hearing	January 28 – 30, 2025	January 28 – 30, 2025 (unchanged)

WHEREFORE, for good cause, Movants respectfully request a continuance of the deadlines set forth above by a time of two weeks.

Dated: October 2, 2024

/s/ Valerie L. Chartier-Hogancamp
Robert C. Volpe (Fla. Bar No. 117992)
rvolpe@holtzmanvogel.com
Valerie L. Chartier-Hogancamp
(Fla. Bar No. 1011269)
vhogancamp@holtzmanvogel.com
HOLTZMAN VOGEL BARAN
TORCHINSKY & JOSEFIK PLLC
119 South Monroe Street, Suite 500
Tallahassee, Florida 32301
(850) 270-5938

*Counsel for Little Gasparilla Island
Preservation Alliance, Inc.*

/s/ Brad E. Kelsky
Brad E. Kelsky (Fla. Bar No. 0059307)
bradkelsky@kelskylaw.com
KELSKY LAW, P.A.
150 S. Pine Island Road Suite 300
Plantation, Florida 33324
(954) 449-1400

*Counsel for Palm Island Estates Association,
Inc.*

/s/ Linda Cotherman
Linda Cotherman
lcotherman@yahoo.com
P.O. Box 881
Placida, Florida 33946
(941) 276-1140

Pro se

CERTIFICATE OF SERVICE

I certify that on October 2, 2024, a true and correct copy of the foregoing has been furnished by electronic mail to the following:

Palm Island Estates Association, inc.
Brad E. Kelsky
c/o Kelsky Law Firm
Plantation FL 33324
(954) 449-1400
(954) 449-8986
bradkelsky@kelskylaw.com

Linda Cotherman
PO Box 881
Placida FL 33946
(941) 276-1140
lcotherman@yahoo.com

Major Thompson
Daniel Dose
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
mthompso@psc.state.fl.us
ddose@psc.state.fl.us
discovery-gcl@psc.state.fl.us

Environmental Utilities, LLC
c/o Jack Boyer
PO Box 7
Placida, FL 33946
(941) 626-8294
Eu777offices@gmail.com

Martin S. Friedman
Dean | Mead
420 S Orange Ave., Suite 700
Orlando, FL 32801
(407) 310-2077
(407) 423-1831
mfriedman@deanmead.com

/s/ Valerie L. Chartier-Hogancamp
Attorney