

EU's Responses to Staff's Eighth Set of  
Interrogatories, No. 33

(Including Attachments)

**RESPONSES TO STAFF'S EIGHTH INTERROGATORIES**

33. Please refer to Section 3-8-41 of the Charlotte County Code for the following questions.

a. Has Charlotte County enforced Section 3-8-41 of the Charlotte County Code?

If so, please identify one or more example(s) of this code being enforced, such as imposition of fines or penalties, or notification of potential fines or penalties.

*RESPONSE: EU does not have access to the records of Charlotte County to fully answer this question. However, an email from the Charlotte County attorney's office is being provided which shows routine Code Enforcement actions related to enforcement of Section 3-8-41. See Attachment Staff 8 Irog #33. Mr. Boyer does have personal knowledge of the County's enforcement of Section 3-8-42 of the Charlotte County Code which provides for mandatory connection to a central water system. Provided with this response are copies of the County Notices it sends to property owners requiring mandatory connection to its central water system, (see Attachment Staff 8 Irog #33) and it presumably uses a similar letter for notifying property owners of connection to its wastewater system. In addition to the Code Enforcement process, if a connection is not made as required, the County begins billing the property owner the base facility charge. EU would request that the Commission allow it to do the same if property owners do not timely connect to its central wastewater system. Provided herewith is a also copy of the Notice given by Little Gasparilla Water Utility as Attachment Staff 8 Irog #33 and EU would anticipate sending a similar Notice. Little Gasparilla Water Utility had three property owners that had a Code Enforcement hearings and all resulted in the property owner being required to connect.*

b. Who will be responsible for enforcing Section 3-8-41 of the Charlotte County Code within Environmental Utilities' proposed service area? As part of your answer, identify what role, if any, Environmental Utilities will have in enforcing Section 3-8-41 of the Charlotte County Code within its proposed service area.

*RESPONSE: Ultimately, the County routinely enforces the mandatory connection through its Code Enforcement procedure. Provided herewith as Attachment Staff 8 Irog #33 is an email from the Assistant County Attorney which outlines the enforcement process. Further, EU would request that the*

*Commission follow Charlotte County's process and allow EU to begin billing the base facility charge if a property owner does not timely connect.*

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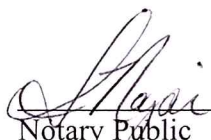
**AFFIDAVIT**

STATE OF FLORIDA)  
COUNTY OF CHARLOTTE)

I hereby certify that on this 4 day of January, 2022, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared John R. Boyer, who is personally known to me, and he acknowledged before me that he provided the answers to interrogatory number(s): 33 from STAFF'S EIGHTH SET OF INTERROGATORIES TO ENVIRONMENTAL UTILITIES, LLC (No. 33) in Docket No. 20200226-SU, and that the responses are true and correct based on his personal knowledge.

In Witness Whereof, I have hereunto set my hand and seal in the State and County aforesaid as of this 4 day of January, 2022.



  
\_\_\_\_\_  
Notary Public  
State of Florida, at Large

My Commission Expires:

4-27-2023