

Jacob Veagh

From: Jacob Veagh on behalf of Records Clerk
Sent: Friday, January 15, 2021 12:46 PM
To: 'lynn@thedockdoctors.com'
Cc: Consumer Contact
Subject: FW: Docket #20200226-SU
Attachments: Objection to Application on Docket #20200226-SU.pdf

Good afternoon, Jeff & Lynn Provost

We will be placing your comments below in consumer correspondence in Docket No. 20200226 and forwarding your comments to the Office of Consumer Assistance and Outreach.

Jacob Veagh

Commission Deputy Clerk I
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
Jacob.Veagh@psc.state.fl.us
850.413.6656

From: Lynn Provost <lynn@thedockdoctors.com>
Sent: Friday, January 15, 2021 12:38 PM
To: Records Clerk <CLERK@PSC.STATE.FL.US>
Cc: mfriedman@deanmead.com
Subject: Docket #20200226-SU

Commission Clerk

As a homeowner on Don Pedro Island (Palm Island), please accept the attached letter as our official objection to the application submitted within Docket #20200226-SU. Please also consider this as our official request to be a party of interest with regard to this docket. Thank you.

Regards,
Jeff & Lynn Provost
121 Bocilla Dr
lynn@thedockdoctors.com
802-349-9679

Jeffrey & Lynn Provost
Mailing: 8725 Placida Rd. Suite 7-510
Placida FL 33946
jeff@thedockdoctors.com

January 14, 2021

Commission Clerk
Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

VIA Email: clerk@psc.state.fl.us

cc: Martin S. Friedman, Esq.
Dean Mead
420 S. Orange Ave. Suite 700
Orlando FL 32801

VIA Email: mfriedman@deanmead.com

Re: Docket #20200226-SU

Commissioners of the Public Service Commission:

We are writing as property owners located within the proposed wastewater service area on Don Pedro Island. Please consider the following list of concerns a brief summary of our objection to the application contained in Docket number 20200226-SU.

1. **Insufficient Official Notice:** The receipt of the public notice dated 12/17/20 in line with the commencement of the holiday season giving 30 days to reply was almost a seemingly deliberate attempt to move this through the process with minimal opposition. Most homeowners within the proposed service area living on the island only receive mail when physically going off-island and with the COVID 19 pandemic, these trips are often minimalized due to public exposure, further delaying the actual receipt of the notice as was our situation. We also learned while attending the annual Board meeting of the Palm Island Estates Association, Inc. (PIE) that many residents did not actually receive the notice mailed by Environmental Utilities, LLC (EU) and it was only by notification from the annual meeting notice was this matter brought to their attention. These circumstances did not allow for adequate time to communicate with Charlotte County Commissioners and the Florida Public Service Commission with regard to our concerns in an effort to educate ourselves on what was being proposed.

2. **Typical Process Circumvented:** the project was not put forth in an official open-bid process with Charlotte County. A bulk sewer treatment agreement was awarded without formal request for proposals and without a hearing before the County Commissioners.
3. **Lack of Experience:** a project of this magnitude encompasses the need for a tremendous amount of experience in navigating many obstacles with regard to engineering, environmental and the physical execution of the installation with the complexities surrounding this type of service to a barrier island in order to ensure a successful outcome. Afterall, protection of our environment is the motivating factor behind the State of Florida requiring these upgrades to take place.
4. **Geological Study:** We have not had access to any official studies performed within the projected service area that substantiates any evidence of alleged pollution from runoff of sewage drainage fields and/or leakage from older septic tanks. Furthermore, The State of Florida Department of Health requires homes with onsite sewage treatment, to have an Onsite Sewage Treatment & Disposal System Permit, renewed annually, along with a licensed Maintenance Entity Service Company (ME) performing the required periodic inspections of said systems. It would be assumed that there is documentation from the entities monitoring these homeowner systems that provides performance data that could be utilized as a basis for potential areas of concern along the shorelines.
5. **Private Entity with Unknown Financial Stability, Bonding Capacity & Insurance:** Any financial documentation made publicly available has not provided any evidence of fiscal stability to support a project of this magnitude. There is no commitment to lend as noted within the document from one financial institution that they included within their initial application. Proof of bonding for both payment and performance, each in an amount at least equal to the contract price from a reputable financial institution should be a requirement for the County to consider an application from a private entity for this level of project. In addition, proof of insurance inclusive of the following: Commercial General Liability; workers compensation; automobile; and based on the potential for failure and environmental impact, an Umbrella policy and a Pollution policy should also be required and be publicly available within the permit application.
6. **No Project Estimate:** EU has not prepared any project estimates for the proposed project to homeowners within the service area. Again, with a project of this magnitude, verification of all estimated costs associated with this type of project, including permitting and environmental costs, legal fees, construction costs, construction slow-downs, ongoing operating costs and maintenance should all be publicly available. With this lack of information, there is no basis for estimated hook up costs to homeowners within the service area. This mandatory hook up to these homeowners without any disclosure of associated costs, including filling in/removal of their existing septic systems will potentially be a financial hardship for many homeowners. There are no details on the structure of payment for hook up such as a pay over-time option.
7. **Charlotte County Responsibility:** Based on the documentation available for public review, it appears that Charlotte County is not interested in any involvement in the

oversight of this project and has provided EU the authority to pursue the wastewater sewage plan and installation permit as a private entity. Furthermore, there is legalize within the documentation removing the County from any financial responsibility and will be held harmless should the contractor (EU) run out of money during the project; have construction installation issues; and experience lack of funds to maintain the system properly, etc. Their responsibility stops at the treatment facility and the burden for financial fallout or liability arising from any type of these examples will fall on the homeowners.

In summary, environmentally we understand the need to develop a replacement plan for this type of off-site sewage treatment and we are not disputing the State's mandate for execution of a phased installation plan. However, we are disputing the proposal and application by this private entity and feel their application should be denied. We are formally requesting an administrative hearing by The Public Service Commission for this application. We appreciate your time in reviewing our concerns with regard to this project.

Regards,



Jeff & Lynn Provost

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121 Bocilla Drive

Placida FL

jeff@thedockdoctors.com

802-349-9679