

**Antonia Hover**

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**From:** Hannah Barker  
**Sent:** Thursday, January 20, 2022 1:41 PM  
**To:** Commissioner Correspondence  
**Subject:** Docket Correspondence  
**Attachments:** Docket #20200226-SU; Docket #20200226 - SU; Docket #20200226-SU; Docket #20200226-SU; Fw Docket #20200226-SU

Good afternoon,

Please place the attached emails in Docket No. 20200226.

**Hannah E. Barker**

Executive Assistant to Commissioner Clark

Florida Public Service Commission

[2540 Shumard Oak Blvd.](#)

[Tallahassee, FL 32399](#)

(850) 413-6004

## Antonia Hover

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**From:** David Cohen <david.paul.cohen@gmail.com>  
**Sent:** Thursday, January 20, 2022 1:20 PM  
**To:** Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo  
**Subject:** Docket #20200226-SU

January 20, 2022

Clerk of the Commission [clerk@psc.state.fl.us](mailto:clerk@psc.state.fl.us)  
Commissioner LaRosa: [Commissioner.LaRosa@psc.state.fl.us](mailto:Commissioner.LaRosa@psc.state.fl.us)  
Commissioner Clark: [Commissioner.Clark@psc.state.fl.us](mailto:Commissioner.Clark@psc.state.fl.us)  
Commissioner Passidomo: [Commissioner.Passidomo@psc.state.fl.us](mailto:Commissioner.Passidomo@psc.state.fl.us)

### **SUBJECT: Docket #20200226-SU**

Dear Commissioners,

My name is David Cohen and I am a property owner on Don Pedro Island, residing full-time on my current property since 1998 and living previously, part-time on another property on the same island since 1990.

I am formally requesting that the PSC deny EU's Application for wastewater service for the many following reasons:

1. **Technical Expertise:** I call into question the technical expertise of the applicant in providing this service. The proposed method, or any method whatsoever, has never been done by the actual people that are owners of the EU. There is no record of this type or scope of project being done by actual EU personnel as opposed to vague associations with other sewage projects.
2. **Undue AND uncertain fees and rates:**
  - a. **Uncertain Hook-up Cost:** When EU first presented to PIE, the connection fee was estimated at approx. **\$20K per unit**. When the rates and tariffs were finally submitted by the applicant, the requested Service Availability Charge per ERC was reduced to a total estimated **\$13,221**. This large fluctuation, while still not guaranteed, is a further indication of the complete lack of experience by the EU in providing factually-derived costs (e.g., are all their costs initially overstated by 50%?)
  - b. **Projected Average Residential Bill: \$256.66**, which is more than twice the amount that a ratepayer on the nearby mainland area of Rotonda which pays per month for both for water and wastewater combined. Note that the average cost to the EU per customer per month is \$97.18 giving an 84% profit to the EU.

- **At 10,000 gallons, the cap comes into play and is \$472.**
- **There is no allowance for incoming water that does not go through sewage treatment such as watering or landscaping. Personally, much more water is consumed this way at my residence and I near this cap.**

**I will simply state categorically that these preliminary estimates are outrageous and not sustainable by many families living on the island, especially those who are retired and living on fixed incomes.**

- c. **Electric:** the system pump requires a separate electric panel, installed by a licensed electrician at the expense of the owner.
- d. **More electric:** If the owner has maxed out their main electric grid with pool equipment or other large-draw items, the panel will need an expensive upgrade to accommodate the new panel.
- e. **Generator:** the grinder pump has a limited capacity (60 gal) and in the event of a power outage will be unable to function for long. Homeowners will need a generator to keep the system running to avoid sewage back-up.
- f. **No pay-over-time plan:** Ratepayers may need to take loans to cover the cost of connection, yet there is no provision being setup or even contemplated for this.
- g. **Mandatory Hook-up:** Charlotte County regulations require all homes to connect to central water and wastewater within 1 year of availability.
- h. **No grandfathering of septic systems:** regardless of age or condition.

**3. Ongoing Undue Burden with no recourse to every property owner:** This is a very complex solution, requiring not only the initial hook-up by EU, but electrical work as well having to provide emergency power, at the effort and expense of each property owner. This is not practical given the demographic of the islands (avg age, retirement status, high number of rental properties, high number of part-time residents). Therefore, the solution being proposed places an undue burden on each and every property owner that is extremely likely to result in many sewage leaks in the event of a prolonged power outage.

a. Having a significant power outage over the course of any given year is very high, in fact it is routine for the islands in question. Relying on each owner to provide, care for and fuel emergency power, potentially during a catastrophe such as a hurricane when such fuel would be in short supply, if even available, invites a terrible environmental impact way beyond even many potential individual septic tank failures. Again, power outages are frequent – the most recent shutting down most of the island for 19 hours just last month.

b. The high amount of rental property and older residents makes the servicing of the required equipment, both routine and in an emergency, very problematic. Do you wish to see several hundred property owners searching for fuel for septic service in addition to trying to preserve food and electrical medical equipment in the aftermath of an emergency situation? The applicant has not addressed how the system will be serviced in the event of failure during a storm or other adverse conditions.

- c. Salt air takes a heavy toll on mechanical and electrical equipment here. Equipment will need replacing when it fails, possibly as frequently as every 5-years. This proposal places too much on-going responsibility on the homeowner at too great a cost.

4. **Need for service:** I have not seen or heard of any environmental impact studies that address this specific location's need for such a service, urgent or otherwise, at this time. Rather, my wife and I as well as many island residents have actually installed small artificial reefs to counter the effects of both red tide and pollution run-off from hundreds of miles away.

a. I would argue that any study offered by the EU does not reflect the reality of these islands specifically and generalizing studies from vastly different demographics is very dangerous.

5. **Future potential impact on the very nature of these islands:** There are not going to be any new bridgeless barrier islands offering the limited development and zoning restrictions and tranquility these bring than currently exist. Based on a history of Florida's barrier islands, changes to zoning allowing denser commercial and residential developments are likely to occur, even furthering the impact referred to in number 2 above.

6. **Negative impact on wildlife and endangered species.** There has not been an environmental study on the impact of this project along with projected service failures on the potential for destruction of habitat and interference with endangered species such as the Gopher Tortoise, Indigo snakes, nesting Bald Eagles and so on. Further, the risk of a central sewer leak with a subaqueous crossing in the intercoastal waterway is far greater than that of one or more septic systems developing leaks – a point which cannot be emphasized too much.

**7. FINANCIAL ABILITY and Government Oversight of the applicant:**

- a. As an unproven LLC in the area of sewage treatment, the EU will not have access to public funds available for clean water and other related funds to in any way offset costs.
- b. Other than vague references to investors, provable long-term viability of the EU has not been investigated and the findings of such an investigation made public. There are no publicly available financial records for the EU since inception.
- c. The publicly registered address of business for the EU is a private single-family house, currently occupied by family.
- d. There is no bond or any other guarantees that cover the costs associated with total project failure or on-going mismanagement.
- e. There are no clearly defined and quantifiable project goals of quality and workmanship, clean-up of resulting damages to property that occur during the implementation and on-going running of EU business.
- f. There is no publicly available approach the EU will take to manage cost overruns.
- g. There is no guarantee that the EU or its current owners will even be in existence for any length of time.

8 **NO OVERSIGHT:** If this project fails in any way, it is the property owners that will have to remedy the situation. There is no official government body WITH OVERSIGHT AND ENFORCEMENT AUTHORITY for this immensely expensive project that has potentially catastrophic environmental and financial impact that would affect the residents, the islands and surrounding waters and even mainland properties and coastlines if this project is not correctly implemented and maintained.

i. The EU is not a contractor that has won a bid to install sewer.

ii. While the PSC approves certification solely based on 4 criteria and regulates rates and charges none of the other agencies involved have overall oversight and enforcement authority on this project. Each of the other

agencies (Charlotte County, DEP, Army Corps of Engineers, etc.) is responsible for **supervising only their specific area** where regulation and/or permitting is involved. There is no performance bond required and the residents have no single point of recourse in the event of cost overruns or project failure.

I thank each of the commissioners for taking these issues under advisement and urge in the strongest possible manner that the PSC deny EU's Application for wastewater service.

Respectfully Submitted,

David Paul Cohen

Full time resident

8 Pointe Way, Don Pedro Island, FL 33946

Mobile number: 201-600-1450

Email: [davidpaulcohen@gmail.com](mailto:davidpaulcohen@gmail.com) or [dpcohen@comcast.net](mailto:dpcohen@comcast.net)

## Antonia Hover

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**From:** Angie Ridings <a.ridings@att.net>  
**Sent:** Thursday, January 20, 2022 12:53 PM  
**To:** Office of Commissioner Clark  
**Cc:** Pat Ridings  
**Subject:** Docket #20200226 - SU

Dear Commissioner Clark,

As an interested party in property located on Little Gasparilla Island, We object to the Application of Certificate by Environmental Utilities (EU) for the proposed central sewer system based on the following:

1. Environmental Impact. Little Gasparilla is a Barrier Island with no connecting roadways or bridges to the mainland of Florida, you arrive only by boat. There are no commercial facilities, no roadways or retail development on the island, only our modest homes. It is old Florida, not Boca Grande. If a sewer pipeline is installed across the intracoastal waterway, how will a pipe leak in the middle of the waterway be detected? Who will be responsible for cleanup of such an environmental catastrophe? Who will be responsible for maintenance and/or equipment failure of such proposed sewer line? A private company with no employees or experience? To our knowledge, no water testing has been performed to determine the actual need of a sewer line vs. the septic systems currently in place. The waste management system in Florida is already overtaxed. If a central sewer system is installed, how will the mainland system handle additional households from the barrier islands, along with any additional development occurring on the mainland itself? Millions of gallons of raw sewage have been spilled into waterways by damaged lines throughout the State of Florida; therefore, is a sewer pipeline across the waterway the correct solution for our island and the environment?
2. Financial Stability/Experience of EU. Environmental Utilities (EU) is a “for profit” private company with no financial history and unknown sewer utility management experience regarding environmentally sensitive endeavors such as tying a sewer line from the mainland to a private barrier island. EU should be required to provide a history of all sewer projects of this magnitude, especially since it involves environmentally sensitive areas including the intracoastal waterway. Do they have such history? No, they do not. In addition, how will EU financially complete this project? What happens when EU runs out of money or goes bankrupt prior to the completed project? Where does that leave the homeowners? Where is our recourse?
3. Unknown Cost to Homeowners. There are so many unknown/hidden costs to the homeowners with this proposal. An estimated upfront hookup fee of \$15,000-20,000 per homeowner has been rumored regarding the system connection and current septic removal. Since there are no “roads” on the island how will large equipment transverse the island to fill or remove all septic tanks without destroying private property? Who pays for that damage? In addition, no estimated cost of monthly rates, no estimated amount of maintenance costs and no estimated operational costs have been provided. What happens when equipment needs to be replaced in five years due to the nature of island living? Will this be our expense directly or indirectly through rate hikes? Power outages occur frequently on the island, what happens if the system uses a grinder pump? The system will be unable to operate without power, resulting in a sewer back-up. Is that more environmentally friendly than septic? Will homeowners be required to purchase and have generators in place to ensure EU’s system is operational during power outages? Will the homeowners pay for the charges to run those generators? In addition, if there is an upfront fee required, there should be other payment options available to homeowners such as payments spread over time. Rates should be fair and equitable, not just to the benefit of a private company who can increase rates whenever they want.
4. 2017 Sewer Master Plan. If this sewer project is state mandated, why is this environmentally sensitive project being proposed by an unknown inexperienced sewer utility management company (EU) and not handled by the County and/or State of Florida?

5. Location of Lift Station(s )and Sewer Lines. No map has been provided indicating the location of any lift stations, lines, etc. The island is private; therefore, no easements. Homeowners should be provided with a map(s) of the proposed location of all lift stations, lines, etc. and given ample time to review such plans prior to any approval or commencement. IF this project is approved, EU should be required to pay all homeowners current market value for any and all easements they may require for implementation.

Possible Alternatives:

1. Perform a Water Quality Test to determine if such a system is necessary.
2. Property owners commit to have current septic systems inspected, and upgraded/improved (if necessary).
3. County to initiate, complete and maintain the project vs. a “for profit” private company with no financial history or sewer utility management experience.

As a stakeholder in the proposed service area, it is important to have all of the relevant information regarding the proposed central sewer, including but not limited to, the proposed rates, connection fees, maintenance and operational costs, homeowners recourse, and the type of system intended for installation We therefore request that EU’s request be denied.

Sincerely,

JP Ridings  
pridings1109@gmail.com  
Angela Ridings  
a.ridings@att.net

## Antonia Hover

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**From:** donesch53@gmail.com  
**Sent:** Thursday, January 20, 2022 12:22 PM  
**To:** Office of Commissioner Clark  
**Subject:** Docket #20200226-SU

Dear Commissioner Clark,

Our names are Sherry and Don Esch and we are property owners on "Palm Island" and have been since 2011.

We first purchased a condominium in Palm Island Resort and were later able to find a property out of the resort that we could afford and we purchased in 2015. We purchased an additional vacant lot on the island in 2016. These properties were purchased in anticipation of enjoying a peaceable retirement within our financial means which finally occurred at the end of 2019. We are opposed to the proposed sewer project for several reasons that I have listed below:

- **Uncertain Hook-up Cost:** When EU first presented to PIE, the connection fee was estimated at approx. \$20K per unit. When the rates and tariffs were finally submitted by the applicant, the requested Service Availability Charge per ERC was reduced to total estimated \$13,221. This represents a significant unplanned expense in our retirement.
- **Average Residential Bill:** \$178.78, which is roughly twice the amount that a ratepayer on the mainland in Rotonda pays per month for water and wastewater combined. Note that the average cost to EU per customer per month is \$97.18. Again, this would be a new and recurring monthly expense that was not anticipated in our retirement. In addition, it seems excessive given local comparisons.
- **Electric:** the system pump requires a separate electric panel, installed by a licensed electrician at the expense of the owner. This is an additional expense that was not anticipated in our retirement.
- **More electric:** If the owner has maxed out their main electric grid with pool equipment or other large-draw items, the panel will need an expensive upgrade to accommodate the new panel.
- **Generator:** the grinder pump has a limited capacity (60 gal) and in the event of a power outage will be unable to function for long. Homeowners will need a generator to keep the system running to avoid sewage back-up. This is awful. One would expect any utility service sanctioned by the county to have proper back-up systems and work without fail.



- Tree removal: Landscaping and hardscaping around the septic area will need to be cleared at the expense of the homeowner to gain access to crush & fill the septic tank. We came to this place for its natural beauty and feeling of “old Florida”. The disruptions to the landscaping would harm the ‘look and feel’ of the island and diminish our property values. Again, the expense to crush and fill our existing septic tanks is unanticipated in our retirement budget.
- No pay-over-time plan: Ratepayers may need to take loans to cover the cost of connection. This is another financial hardship this change would impose.
- No grandfathering of septic systems: regardless of age or condition.
- No “contract” and no single point of general oversight: EU is not a contractor that has won a bid to install sewer. The PSC approves certification solely based on the 4 criteria above and regulates rates and charges. Each of the other agencies (County, DEP, Army Corps, etc.) is responsible for supervising only their specific area where regulation and/or permitting is involved. There is no performance bond required and we have no single point of recourse in the event of cost overruns or project failure.
- Access to homes: Some properties have physical constraints that will complicate how the applicant gains access to the property without leaving the boundaries or damaging the grounds.
- Disruption of traffic: Vehicles have only one point of entry/egress -- the car ferry. With normal traffic, service and construction trucks, delays at the ferry line in season can be an hour or more. This project could result in years of traffic issues.
- New easement giveaway: Most utility easements are placed in the road right-of-way. EU has claimed ownership of a utility easement that will go from the sewer equipment, located near the house to the connection in the road without compensating the homeowner.
- System maintenance and emergencies: The applicant has not addressed how the system will be serviced in the event of failure during a storm or other adverse conditions.
- Lifespan of the equipment: Salt air takes a heavy toll on mechanical and electrical equipment here. Equipment will need replacing when it fails, possibly at 5-year intervals. This proposal places too much responsibility on the homeowner at too great a cost.
- Environmental concerns: No water quality testing has been done in our area to prove a need for sewer. This project brings the potential for destruction of habitat and interference with endangered species such as the gopher tortoise.

- Potential of sewer spill in the Intracoastal: The risk of a central sewer leak with a subaqueous crossing is greater than the risk of one or more septic systems developing leaks.

In short, this project would bring significant financial hardship to us as property owners, not only for the expenses related to the construction, hook-up and operation of the new plant but also in terms of diminished property value and the inconvenience of transportation on the island. Second, the applicant has not demonstrated competence in building and operating a system of the sort contemplated. Our island is too precious to trust to any company without a significant track record of competence and accomplishments. Third, the expenses and proposed service rates seems disproportionately high relative to others in the area. Finally, while we generally support the conversions of septic systems over time to city sewer facilities, it would seem that this project was conceived in haste given the high cost and relatively low number of conversions to be completed all in the absence of testing data to demonstrate that the facility is actually needed here.

We are formally requesting that the PSC deny EU's application for wastewater service.

Sincerely,

Don and Sherry Esch

[Donesch53@gmail.com](mailto:Donesch53@gmail.com)

## Antonia Hover

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**From:** Lou Wilson <louwilson2016@gmail.com>  
**Sent:** Thursday, January 20, 2022 12:11 PM  
**To:** Office of Commissioner Clark  
**Subject:** Docket #20200226-SU

I urge you to APPROVE the application/permit for EU to install sewer lines in the delineated areas. I am sure you are aware of all the environmental issues that make it critical for future clean water in Lemon Bay this application be approved.

Owner/Full Time Resident  
65 Palm Drive, Placida, Fl.  
Palm Island

Lou Ellen Wilson

(813)690-8136  
[louwilson2016@gmail.com](mailto:louwilson2016@gmail.com)

## Antonia Hover

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**From:** JAYNE KEBE <kebefam@sbcglobal.net>  
**Sent:** Thursday, January 20, 2022 12:11 PM  
**To:** Office of Commissioner Clark  
**Subject:** Fw: 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 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.

The following are just a few of my arguments and issues with this proposal by Environmental Utilities.

- The estimated hook-up costs have not been confirmed and the rates proposed by EU have changed at least once throughout the application process. This makes me question the level of knowledge and experience on the part of the applicant.
- Additional, but unidentified costs by EU, costs to the homeowners in terms of electric bills and additional electric panels and the possibility of the need for generators.
- EU is completely inexperienced in the installation of a central sewer system; they have never won a single bid for this type of installation. I do not understand how this lack of experience complies with the technical expertise criteria listed above.
- There has been no discussion by EU how they will handle power outages during the frequent storm events and hurricanes out on these barrier islands.
- The issues continue on ....

Thank you in advance for your consideration of my email.

Sincerely,

Jayne Kebe

18 Palm Drive, Knight Island, Placida, FL

kebefam@sbcglobal.net