

Jacob Veaughn

From: Jacob Veaughn on behalf of Records Clerk
Sent: Tuesday, March 1, 2022 8:16 AM
To: 'Kathy Stokes'
Cc: Consumer Contact
Subject: RE: DOCKET 20200226

Good Morning, Kathleen Stokes

We will be placing your comments below in consumer correspondence in Docket 20200226, and the Office of Consumer Assistance and Outreach will be notified.

Jacob Veaughn

Commission Deputy Clerk I
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From: Kathy Stokes <kitkatstokes@hotmail.com>
Sent: Monday, February 28, 2022 7:10 PM
To: Records Clerk <CLERK@PSC.STATE.FL.US>; commissioner.clerk@psc.state.fl.us; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>
Subject: DOCKET 20200226

Dear
Commissioners,

It was very disappointing and frustrating to try to tune into the public hearings for #20200226, Environmental Utilities application for a wastewater certificate and to not be able to view it! Later in the day when audio was supposedly available it was so unclear and muffled, we gave up! Now we are finally able to read the official transcripts of the four sessions and what an eye-opener that is! I'd like to comment on what I have read so far. It appears that the president of this start up company with NO experience in wastewater projects of this magnitude is way over his head. As he said in one of his answers, "That's above my pay grade." This is so frightening for potential customers if the certificate is granted. I have read every entry on the docket about this application over the past year and a half, all 1168 entries as I write this, and I am very concerned with the possibility of EU acquiring this certificate. I am respectfully asking you to DENY this application as you are charged with monitoring that customers receive essential services in a safe, affordable and reliable manner. It certainly appears that EU cannot meet these criteria.

We built our home on Little Gasparilla Island in 1999 at 8892 Gulf Street, right on the Bay, We have treasured being there, enjoying the beautiful waters right off our dock. We have taken great care and pride in our property. We are frightened about the possibility of Mr. Boyer of EU bringing sewers to the island as we do not believe first of all that he has the technical expertise needed for such a gigantic project. Then there is the financial aspect. Over and over in the docket filings things regarding financing are deemed "confidential". We as possible consumers should have a right to know about the financial background of the person who may be granted this certificate.

In the transcript, the Office of Public Counsel testified in their investigation of the finances that the utility has failed to provide sufficient evidence to support the estimates, answered questions about costs inconsistently, and miscalculated certain elements of the case. In addition, Attorney Kelsky cites another witness, Shari Schultz's study that shows EU lacks the financial wherewithal to construct and operate the system because they won't be able to service the debt associated with the construction. Steven Suggs, a professional engineer, stated EU did not take into account significant costs. And then there is the fact that no one from Charlotte County government gave any testimony about the testing of the waters around the proposed certificated area, nor spoke of anything about this project.

Of note and rather disturbing was the part where Attorney Friedman asked Mr. Boyer, President of EU if he had a brief summary of his testimony? Mr. Boyer answered, " Yes Sir, I did that about 4 o'clock this morning when the dog woke me up". SERIOUSLY? It wasn't important enough for him to prepare before that? When asked about his ability to do this huge project, Mr. Boyer didn't cite any professional credentials about his education but rather said "I can take a motor apart and put it back together, I have been a hands on guy all my life, but it is to the point that I am hiring professionals to take care of STUFF. I'm not a lawyer, I'm not an engineer. And I won't be the project manager on this project, but it will be set up, bid out, and ready to go". Then when Attorney Kelsky asked Mr. Boyer if he had identified the proposed area as "compact growth, mixed use"? Mr. Boyer answered, "I didn't follow that. I apologize. Is that the term? I just located the geographic location. That's your words not mine. I'm not following you there. I located the island and the need". Then Attorney Kelsky asked are you familiar with the Barrier Island Overlay District? What is it? Mr. Boyer answered, "Not really"! This is the company president who is seeking the certificate for a BARRIER ISLAND? SERIOUSLY?

Then more troubling observations as Attorney Kelsky continued asking questions of Mr. Boyer. He asked if Mr. Boyer had made loans to the business? The answer was yes. He asked if there was an agreement about how EU is going to repay the loans on these to which Mr. Boyer replied "no sir, not presently. " SERIOUSLY? Attorney Kelsky continued, that Mr. Boyer may have to bring in an equity partner , correct? Mr. Boyer replied" Anything is possible. At this point in time. No sir". When asked if as part of the application process he had to determine whether an amendment to Charlotte County's Comprehensive Plan would be necessary, (in order to build a sewer system on a barrier island that is not in the urban service area) and Mr. Boyer said "No. I didn't have to determine that. The county entered into a bulk sewer agreement --- and I'm ASSUMING that their attorneys advised them." SERIOUSLY? When Mr. Boyer was asked about what policies in the Charlotte County Comprehensive Plan had changed since 2002 (when he applied for a wastewater certificate before) that gave him the opinion that no plan amendment was needed, his answer was " I can't say that, other than listening to the testimony of Craig Rudy, which I listened in on, and he said it all was CLEAN and ROSY and nothing needed to be changed."

When Ms. Cotherman had questions about property easements for the project, If EU would be compensating the customers for the easement and encumbering their property, Mr. Boyer answered " That's yet -- I don't know, - that that's-- I don't know the answer to that. SERIOUSLY?

My last comment on this first transcript is about Commissioner La Rosa's question. The commissioner asked Mr. Boyer if he could clarify why he withdrew his previous application in 2002 that would affect the application today? Mr. Boyer answered "We were hoping the county would step in and buy us out at that time and when the county chose to not support us in that action, we knew it was a -- wouldn't work". In my opinion

I believe he is trying to get the certificate to sell back to the county or to some other third party and make a ton of money.

Please DENY THIS APPLICATION FOR ALL THE ABOVE REASONS. Thank you for taking all the hundreds of written comments by potential customers into consideration.

Sincerely, Kathleen Stokes