

**Lisa Smith**

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**From:** Hannah Barker  
**Sent:** Tuesday, March 15, 2022 2:26 PM  
**To:** Commissioner Correspondence  
**Subject:** Docket Correspondence  
**Attachments:** RE Docket #20200226-SU ; RE Docket #20200226-SU; RE Docket #202000226-SU; RE Docket#20200226-SU; RE Docket # 20200226-SU 45 Bayshore Circle Placida, FL. Shawn Rae; RE Docket# 20200226-SU; RE Docket #20200226-SU; RE Docket # 20200226-SU - PSC to deny EU's application for wastewater service; RE Docket 20200226-SU; RE Docket #20200226-SU - Knight - Don Pedro Island EU Application for Original Certificate of Authorization

Good afternoon,

Please place the attached emails in Docket No. 20200226.

**Hannah E. Branum**  
Executive Assistant to Commissioner Clark  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6004

**Lisa Smith**

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**From:** Office of Commissioner Clark  
**Sent:** Tuesday, March 15, 2022 11:34 AM  
**To:** 'John Day'  
**Subject:** RE: Docket #20200226-SU

Dear Mr. Day,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3<sup>rd</sup> at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark  
Commissioner  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6038

**From:** John Day <johnday1000@gmail.com>  
**Sent:** Tuesday, January 18, 2022 5:15 PM  
**To:** Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>  
**Subject:** Docket #20200226-SU

Hello,

This is John Day at 9552 and 9564 Buccaneer trail on Little Gasparilla Island.

**I am formally requesting that the PSC**

**DENY** EU's application for wastewater service. The current septic systems are functioning correctly and safely and the additional cost is ridiculous.

THANK YOU!

John Day  
9413205256

Sent from my iPhone

## Lisa Smith

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**From:** Office of Commissioner Clark  
**Sent:** Tuesday, March 15, 2022 11:32 AM  
**To:** 'Kevin Tyler'  
**Subject:** RE: Docket #20200226-SU

Dear Mr. Tyler,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3<sup>rd</sup> at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark  
Commissioner  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6038

**From:** Kevin Tyler <kktyler@gmail.com>  
**Sent:** Tuesday, January 18, 2022 2:50 PM  
**To:** Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>  
**Subject:** Docket #20200226-SU

Good day, my name is Kevin Tyler; I am a property owner and live on Palm Island full time. The central sewer proposal in question would have a direct effect on me.

I am requesting that you deny EU's Application for Original Certificate of Authorization for this proposed central sewer system for the following reasons:

- **Wildly fluctuating cost estimates** - EUs estimates for hookup fees and average monthly bills are all over the map, starting with outrageous and going up. These expenses appear to be open-ended as all cost overruns will inevitably be passed along to homeowners
- **Competence** - The fluctuating cost-estimates indicate to me that EU lacks the project-management skills to make this happen according to any reasonable plan. They certainly have no particular expertise operating a central sewer system.
- **Complexity** - The proposed system is needlessly complex and proposes to push financial and maintenance responsibility for critical components of the system onto the homeowners. It is not yet clear who would be responsible for these pumps, but as proposed, homeowners would provide electrical infrastructure required to operate lift pumps. With such a complicated system and responsibility distributed among EU and homeowners, this design is needlessly complicated and is certain to be fragile and prone to failures.

This is a half-baked proposal by an inexperienced waste processing company with unlimited potential for economic and environmental harm. I urge you to reject EU's application.

Sincerely,

Kevin Tyler  
[Kktyler@gmail.com](mailto:Kktyler@gmail.com)

83 Palm Dr  
Englewood, FL

## Lisa Smith

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**From:** Office of Commissioner Clark  
**Sent:** Tuesday, March 15, 2022 11:31 AM  
**To:** 'Sally Mingerink'  
**Subject:** RE: Docket #202000226-SU

Dear Ms. Mingerink,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to [FloridaPSC.com](http://FloridaPSC.com), where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark  
Commissioner  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6038

-----Original Message-----

From: Sally Mingerink <[smingerink@yahoo.com](mailto:smingerink@yahoo.com)>  
Sent: Tuesday, January 18, 2022 2:45 PM  
To: Office of Commissioner Clark <[Commissioner.Clark@psc.state.fl.us](mailto:Commissioner.Clark@psc.state.fl.us)>  
Subject: Docket #202000226-SU

Commissioner Clark:

## Lisa Smith

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**From:** Office of Commissioner Clark  
**Sent:** Tuesday, March 15, 2022 11:31 AM  
**To:** 'Kelly Lube'  
**Subject:** RE: Docket#20200226-SU

Dear Ms. Lubé,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

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Sincerely,

Gary F. Clark  
Commissioner  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6038

-----Original Message-----

From: Kelly Lube <lubekelly@icloud.com>  
Sent: Tuesday, January 18, 2022 1:49 PM  
To: Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>  
Subject: Docket#20200226-SU

Hello, I'm a property owner on Don Pedro Island. 290 Kettle Harbor Dr.

This letter is in opposition to the proposed central sewer by EU. As a property tax payer, I'm against having a private company, especially one that has NEVER done sewer, do this project. If the county deems this project a necessity. The COUNTY needs to be in charge of this project. Not a PRIVATE company.

Thank you, Kelly Lubé  
Sent from my iPad

## Lisa Smith

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**From:** Office of Commissioner Clark  
**Sent:** Tuesday, March 15, 2022 11:28 AM  
**To:** 'Shawn.Rae@Ferguson.com'  
**Subject:** RE: Docket # 20200226-SU 45 Bayshore Circle Placida, FL. Shawn Rae

Dear Mr. Rae,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3<sup>rd</sup> at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark  
Commissioner  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6038

**From:** Shawn.Rae@Ferguson.com <Shawn.Rae@Ferguson.com>  
**Sent:** Tuesday, January 18, 2022 10:49 AM  
**To:** Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>  
**Subject:** Docket # 20200226-SU 45 Bayshore Circle Placida, FL. Shawn Rae

Dear Commissioner Clark,

I am formally requesting that the PSC deny the Application for Original Certificate of Authorization for the proposed central sewer system by Environmental Utilities LLC (EU). As a property owner, resident, as well as having spent my 40 year career in the Water and Wastewater industry, it is painfully apparent that there are many issues with EU's proposal to take on this project.

As a Mechanical Engineer by degree, Auburn University, as well as my experience in supplying materials to Cities, Counties, Municipalities, and contractors in the construction of water and sewer projects, EU's proposal is lacking in detailed true maintenance cost, without any real estimating backing. EU's has never undertaken a real sewer project of this magnitude, with environmentally sensitive subaqueous Intercostal Waterway sewer force main crossing. EU's states they will get the loans in place and financing? Where is the bond protection, where is the



bidding process for a qualified, licensed contractor ? Do they have any plan's for power outage ? Pump failures ? Storm damage ? True qualified staffing with realistic compensation ? No.

Environmental Utilities is using a general study done for the county years ago. Has there been any recent, last 2 – 3 years, study, water samples, taken in and around Don Pedro, Knights Island, Little Gasparilla for water quality to justify the need for this project. Our Island is very sparsely populated, and most residents are part timers, not using their septic systems. As Islanders, if we are truly contributing to water quality issue's impacting our local waters, we will be behind proper resolution. Certainly including going on a properly constructed, maintained sewer collection system, properly financed, and maintained by a proven provider.

We are asking that the commission not permit a company that cannot demonstrate any experience in the construction and maintenance of a complex wastewater system be permitted to follow thru on this application. Pumping treated water to a house is very simple. Constructing a sewer system, with pump stations on everyone's property, installing subaqueous pipelines that can pollute miles of a fragile ecosystem is a totally different undertaking. We beg your deep consideration not allowing this proposal to be considered.

**Shawn Rae**  
**District Manager**  
**Ferguson Waterworks**  
**(678)687-4795**

## Lisa Smith

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**From:** Office of Commissioner Clark  
**Sent:** Tuesday, March 15, 2022 11:27 AM  
**To:** 'Robin LeBlanc'  
**Subject:** RE: Docket# 20200226-SU

Dear Ms. LeBlanc,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC-- Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3<sup>rd</sup> at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark  
Commissioner  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6038

**From:** Robin LeBlanc <robnl@comcast.net>  
**Sent:** Tuesday, January 18, 2022 12:39 AM  
**To:** Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>  
**Subject:** Docket# 20200226-SU

Hello,

My name is Robin LeBlanc, and I'm a property owner on Don Pedro Island in the Preserve of Don Pedro. I object to this proposal. Please deny the application for Original Certificate of Authorization for this proposed central sewer system. The fact that this would be mandatory instead of voluntary, the fact that the cost of connection/installation/operating is outrageous, and the fact that it is private and not county run are just a few of the huge red flags that make me object to this proposed sewer system.

Thank you for your time,  
Robin LeBlanc

## Lisa Smith

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**From:** Office of Commissioner Clark  
**Sent:** Tuesday, March 15, 2022 11:26 AM  
**To:** 'Dana Planer'  
**Subject:** RE: Docket #20200226-SU

Dear Ms. Planer,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3<sup>rd</sup> at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark  
Commissioner  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6038

**From:** Dana Planer <docplaner@yahoo.com>  
**Sent:** Monday, January 17, 2022 8:58 PM  
**To:** Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Commissioner.Passidomo@psc.state.fl  
**Subject:** Docket #20200226-SU

To Whom it May Concern,

I am writing to oppose the private sewer proposal by EU for Don Pedro Island. I am the property owner for 301 S Gulf Blvd. Unit 14 Placida. The proposal for central sewer by Eu should be denied for all of the following reasons:

The cost for a hook up to the property owners of the island is not clear. The cost to remove existing septic is not clear. Central sewer service by a private owner is unnecessary and if ever deemed necessary, it should be provided by public utility not a private for profit entity. The EU owners are financially motivated at significant cost to island homeowners. The average residential bill for the proposed project is roughly TWICE the amount for wastewater in other neighboring

communities. Additional costs for electric, removal of septic stems, tree removal, overtime pay and labor costs are all hidden fees paid for DIRECTLY by the island homeowners for the benefit of ONLY the owners of EU.

I, like many Island homeowners, have significant concerns about the financial and environmental impact this project will have on the island. The project will financially benefit those who are financially motivated by EU and will there will be no significant benefit to Island homeowners.

I am formally requesting that the PSC deny EUs application for wastewater service on Don Pedro Island.

Sincerely,  
Dana Planer,  
301 South Golf Blvd., Placida, FL 33946

[docplaner@yahoo.com](mailto:docplaner@yahoo.com)

**EMAIL TO:**

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)

We have provided below a punch list of arguments and concerns, but this is for your convenience to help identify issues that might be important to you. We do not want you to simply copy and paste.

Provide your own narrative of **why you object** to this proposal and **how this proposed sewer will affect you**.

**Potential Impacts to Stakeholders:**

- **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**.

•  
~Dana

## Lisa Smith

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**From:** Office of Commissioner Clark  
**Sent:** Tuesday, March 15, 2022 11:26 AM  
**To:** 'KALLEN112@tampabay.rr.com'  
**Subject:** RE: Docket #20200226-SU - PSC to deny EU's application for wastewater service

Dear Ms. Allen,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC— Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3<sup>rd</sup> at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark  
Commissioner  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6038

**From:** KALLEN112@tampabay.rr.com <KALLEN112@tampabay.rr.com>  
**Sent:** Monday, January 17, 2022 5:40 PM  
**To:** Records Clerk <CLERK@PSC.STATE.FL.US>; 'commissioner.larosa@psc.state.fl.us' <commissioner.larosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>  
**Subject:** Docket #20200226-SU - PSC to deny EU's application for wastewater service

Dear Clerk and Commissioners,

Please be advised that I am formally requesting that you DENY EU's application for wastewater service. My name is Kelley Allen, co-owner of 331 Bocilla Dr, Placida, FL 33946 (Don Pedro Island).

I oppose the wastewater service by EU due to the uncertainty of the connection fees; the increase of the average residential bill, which is double that of residential ratepayers in nearby communities (Rotonda); fees associated with additional electrical and generator requirement; no pay over time plan; mandatory hook up; no contracts or general oversight; easement giveaways from the owner of property to EU without compensating the owner for

same; issues of wastewater emergencies; and lifespan of equipment. There are NO safeguards for using any private company for wastewater service.

I purchased home in mid-July 2021 and a new septic system was installed. The fees incurred with installation and removal of landscaping was costly. There is no grandfathering in of septic systems for this wastewater service. There would be expenses to remove landscape over drain field and costs to fill/crush NEW septic tank. Access to our property is complicated with landscaping, boundaries for entrance of vehicles (including automobile, boats, golf carts).

Also I have concerns with regards to disruption of traffic on and off island access roads. The project would result in long lines at ferry due to construction vehicles, ability to gain access to island property as well as leave Don Pedro Island for work, school, appointments, grocery shopping, etc.

The environmental impacts may have potential for destruction and loss of habitat with endangered species that call Don Pedro Island home. Such species are gopher tortoises, ospreys, etc. The risks of a central sewer leak into the intercoastal and/or Gulf of Mexico is greater than the risk of septic system developing a leak.

Again, I respectfully request that you DENY EU's application for wastewater service to Don Pedro Island.

Thank you for your consideration.

Kelley Allen  
331 Bocilla Dr  
Placida, FL 33946

## Lisa Smith

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**From:** Office of Commissioner Clark  
**Sent:** Tuesday, March 15, 2022 11:26 AM  
**To:** 'art knighten'  
**Subject:** RE: Docket 20200226-SU

Dear Mr. Knighten,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark  
Commissioner  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6038

-----Original Message-----

From: art knighten <captartknighten@yahoo.com>  
Sent: Monday, January 17, 2022 4:02 PM  
To: Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>  
Subject: Fwd: Docket 20200226-SU

>

> My name is Art Knighten, I'm retired and owner of the property at 130 Bocillia Dr on Don Pedro Island in the proposed sewer area. I am writing you because of my concern of the proposed private sewer system for our beautiful island and way of life. With all do respect, not living on our island I'm sure it's hard to understand our life style and pride we as owners take in our island.

> My wife and I spent a large portion of our life savings to purchase our modest home on the island. Our septic tank passed inspection when we bought our home and has worked fine ever since. EU has told us they don't know what it will cost to destroy our perfectly good septic tank and what cost we will be forced to pay for the tap on fee, but understand it can be upwards of \$20,000, with monthly fees starting at \$178 That's twice what the Rotunda pays for both water and sewer and it is guaranteed to increase every year. This would be an unnecessary burden on our

finances. All this to fix a problem that does not exist and to make a couple of people and EU very rich at the expense of all the owners on the island.

>

> I assure you, if there was an issue with the individual engineered septic systems here on the island we as owners and the HOA would welcome a central sewer system, but the fact is:

> 1-these septic tanks are checked on a regular basis and in the rare case that there is a need to pump out or repair we gladly have it done. Honestly the main issue I hear about is roots from a near by tree which is easily repaired.

> 2-there has been no study done that shows the water quality around the island has been affected by the septic tanks on the island

> 3- EU has never taken on such a project, where is the history that they will be able to handle this large a project. Will they be bonded?

> 4 - the company has stated they would increase rates the maximum allowed every year.

> 6-the digging of sewer lines over approx 7 miles of roads on the island with destruction and removal of hundreds of septic tanks with thousands of dump trucks crossing the ferry system, disposing of their remains and refilling the septic holes somewhere in Charlotte County would destroy our island and hundreds of acres of the mainland would be contaminated and destroyed.

> 7-with all this heavy equipment and workers crossing the ferry every day for years, it will take hours for owners and guest to cross to the mainland to shop, have Dr appointments, etc and then return home. This is not an inconvenience, it's a constant daily traffic jam from morning to night, no less than 5 days a week 52 weeks a year for the life of the construction.

> 8-there are many questions that are yet to be answered. The electricity each home will have to supply - do these homes have room in there fuse boxes for more more breaker switches? What happens when power goes out (which it does a lot) does the sewer just back up?

> 9-any sewage spill whether on land or going under water to the mainland will have devastating effect on the waters around our island. These will be large pipes carrying thousands of gallons of waste which in the event of any spill would be a major catastrophe.

>

> In conclusion, there is no study nor any incident to show our septic tank systems on the island are causing an issue with water quality or a health hazard. The prospect of constructing a private sewer system on Don Pedro and Palm Islands has many more negative ramifications than any positive effect. I see it as one company, EU, trying to take advantage of a situation that they have no expertise in just to make a lot of money for a few people.

> Sent from my iPhone

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## Lisa Smith

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**From:** Office of Commissioner Clark  
**Sent:** Tuesday, March 15, 2022 11:25 AM  
**To:** 'bgood2go@gmail.com'  
**Subject:** RE: Docket #20200226-SU - Knight - Don Pedro Island / EU Application for Original Certificate of Authorization

Dear Mr. and Ms. Goodhead,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC– Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3<sup>rd</sup> at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

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Sincerely,

Gary F. Clark  
Commissioner  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6038

**From:** bgood2go@gmail.com <bgood2go@gmail.com>  
**Sent:** Monday, January 17, 2022 3:58 PM  
**To:** Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Commissioner La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>  
**Cc:** bgood2go@gmail.com; mlgoodhead@gmail.com; Bill.Truex@CharlotteCountyFL.gov  
**Subject:** Docket #20200226-SU - Knight - Don Pedro Island / EU Application for Original Certificate of Authorization

**Dear Clerk and Public Service Commissioners,**

I am writing to you today to ask for your help on behalf of myself and the other homeowners on Knight / Don Pedro Island affected by this pending EU application (Docket 2020022-SU) and proposed sewage project.

I am asking for your help because as you have been already advised by Palm Island Estates and others, there is absolutely no reasonable justification for this project to even be considered in the first place. There is no need! So anything else beyond the initial review and rejection of this application, submitted by EU, is a great waste of county time, processing and resources (and tax dollars). This should be an open and shut case. There is no demonstrated need, application is denied. Hopefully everyone will agree that just anyone cannot go around submitting applications to force people to do something where there is no need. It must be proven by facts that there is a real need for what is being proposed. Without this validation such a proposal is absurd. This is what we have here.

Below, I am reiterating facts that have already been submitted to you by many other affected homeowners and homeowner associations. You will most certainly recognize many of the exact same facts being described here. That is because these are empirical facts. Again, this is in an effort by the homeowners to implore the decision makers in this case for the use of reason and to make these overwhelming facts crystal- clear to the entire commission, so that they can arrive at the rational decision to deny this application.

### **A. No Validation of Need**

This is by far the most important fact in this case, which is to demonstrate there is only a fabricated “need” for this application for certification, being submitted by EU. There is no empirical data at all to support any of the hear-say and conjecture being used by them to “justify” this application /submission, if any at all was used.

The County adopted the 2017 Sewer Master Plan which includes these Islands for sewer executed by CCUD (Charlotte County Utilities Dept.). In fact, Knight and Don Pedro Islands have been identified as priority areas for the extension of central sewer by CCUD. Furthermore, there was no study of the source of the nitrites alleged to be spilling into inland and shore waters. Specifically, there was no study data to determine whether these were coming from leaky sewage tanks or from fertilizers. Therefore, the assumption that the alleged pollution is emanating from sewer tanks is not a substantiated fact based on any real, applicable testing and or data and therefore must be considered false.

### **B. Legal Ethics and Integrity**

Immediately, with little effort for a background search on Mr. Jack Boyer, the facts appear that Mr. Boyer was charged with and indicted for larceny as it relates to a utility as well as criminal mischief for stealing water from Don Pedro Island State Park to serve his own water utility on Little Gasparilla Island (Copies of these reports have already been submitted to the PSC).

In summary, Mr. Boyer waited until rangers were absent from the park over a weekend and installed a water main from the Don Pedro State Park fresh water supply pipe and trenched it to LGI and hooked it up to his water company's facility. He admitted to this and moreover refused to remove the pipe after which he was indicted. How, in any legal proceeding or application to any government agency, can a man with this history of blatant disregard and disdain for the law even remotely be considered as a viable applicant for anything, especially if it is in the same business / industry that he was convicted for crimes in?

The answer to this question from any ethically bound person or entity reviewing this application (having done any internet search or background check), would immediately be a no /denied! How this application got past the initial screening process(s) raises serious questions regarding integrity and or

negligence. There must be some ethical / moral scale being used for evaluating anyone (person or business) applying for anything with the county to ensure they meet some minimum threshold of integrity. If there is not, then there are even more serious issues at hand.

## **B. Financial Capacity of the Applicant**

Any statements made by the principals of EU to the public are baseless. Instantly, EU has no demonstrable experience and no guaranteed funding (including bond issues) that could even marginally show its solvency, ability to obtain funding, complete the project and/or provide ongoing maintenance.

Specifically, none of the publicly facing filed documents guarantee any funding and state specifically that there is no commitment to lend. No projected costs are given.

Certainly a proposed project of this size must have been cost-estimated; No CIAC was provided which would identify cash and property contributions; EU appears to have no experience with projections, certainly not sufficient enough to project annual expenses; there is no comprehensive plan in the application that describes how this project will be financed. EU is a start-up company.

As such, the company and its principals are inextricably linked. A completed bond issue by a reputable financial institution should be a mandatory condition precedent for any approval. Again, a letter of interest from a local bank is meaningless. Since the reliability of the financial strength of the principals is paramount, their request to treat all of their financial information as confidential is improper and should be denied.

There have been no studies or valid estimates of the cost of this project, both globally and as it applies to Knight Island-Don Pedro Island. The verbal estimate given by Jack Boyer to community groups of approximately \$20,000 per homeowner is not based on any actual cost estimates related to this project. Given the project location and necessary involvement of multiple state (and potentially federal) agencies, the number is likely to be much higher. This places an undue burden on the members of our community. No permits should be issued without disclosure and verification of all of the necessary costs, e.g. profits build-ins, ongoing operating costs, construction costs, construction slow-downs or complications; distribution and allocation of cost-recovery, etc.

No provision has been made to allow for payment over time should the project go forward. In addressing this question to residents, the applicant has stated that grants might be available without any factual basis for these statements and without any data in support relative to this project. Grants seem far-fetched at best since the State of Florida is facing a significant budget shortfall exacerbated by the COVID-19 crisis. This application should be rejected until the applicant provides a firm cost per ERU along with appropriate financing options and payment vehicles for those affected owners along with the demonstrated financial ability to provide for payments over time.

EU has failed to address its ongoing operating costs. In an applicant with limited operating experience and financial resources, how will ongoing operating costs be addressed?

Jack Boyer has stated to community groups that if they fight him, the costs will be passed on to the community. While cryptic, the intent seems clear and also indicates the tenuousness of EU's financial position going into this project. EU is a private, for-profit utility company. The owners' financial history and the financial health of the company is not known and not available.

## **C. Applicant's experience, knowledge and resource deficiencies**

The owner has little or no demonstrated experience with sewer systems and the owner's present water company has a long list of non-compliance and violations registered with the DEP. The Charlotte County Clerk's office website lists several foreclosures and lien actions involving Mr. Boyer. Should EU's stewardship of the project become untenable, another future utility will then have to compensate EU for the service area, resulting in further cost to the future ratepayers.

Again, here is more testimony to the lack of integrity and insolvency and once again Mr. Boyer has shown a conscious disregard for the citizen stakeholders, but none more so than its threats to pass on its legal fees to customers should they challenge its permit application.

Given the lack of demonstrated need, the absence of financial and operational data to support this project, and the absence of any discernible expertise, EU's application should be denied.

#### **D. Gateway to commercial building**

Additionally, the approval of this application and execution of this project to install a make-shift sewage system, will only pave the way for the approval of the building of commercial structures on Knight /Don Pedro Island (condos / high rises). Anyone with any knowledge of barrier island living and its fragile environment / eco system knows that this would wreck the natural and pristine state of the island forever. For this reason alone, this cannot be allowed to happen.

#### **E. Real project impacts to homeowners**

Lastly, but most certainly not least, here is a list of what homeowners will be faced with should this project succeed. This list is not exhaustive. Again, if you understand anything about the landscape of the island and the size and orientation of the home lots you will know how unrealistic these requirements are. Meeting these requirements would wreck property lines and lots with easements not to mention enormous power requirements and costs placed on the homeowners.

- **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**.
- **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.
- **Electric:** the system pump requires a separate electric panel, installed by a licensed electrician at the expense of the owner.
- **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.
- **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.
- **No pay-over-time plan:** Ratepayers may need to take loans to cover the cost of connection.

- **Mandatory Hook-up:** Charlotte County regulations require all homes to connect to central water and wastewater within 1 year of availability.
- **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

I strongly urge any commissioner and or decision maker on this vote, who is not familiar with Knight / Don Pedro Island, to go and visit the island and speak with some of the homeowners before they make a decision that could permanently affect the future of this island and the families that live there.

In closing, please be aware that the decisions made by the commission in this vote, and its final outcome, will bear the utmost weight with all homeowners involved, on how we vote for county positions in the next election.

Your constituents are now asking for you to use common sense and to make a rational decision for us here, and not ignore the clear facts presented. Do not provide support of an unscrupulous business application / proposition that would wreck the environment and forever change the Knight / Don Pedro island landscape and its way of life!

Please accept this as my formal request for PSC to deny EU's application for wastewater service.

Sincere and Kindest Regards,

Brian and Melissa Goodhead

53 Palm Drive

Placida, Florida 33946

PS I have also attached a .PDF of this same letter for your convenience