

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide
wastewater service in Charlotte County, by
Environmental Utilities, LLC

Docket No. 20200226-SU

**ENVIRONMENTAL UTILITIES, LLC'S REQUEST FOR ORAL ARGUMENT ON ITS
MOTION FOR RECONSIDERATION**

Environmental Utilities, LLC ("EU" or the "Company"), by and through its undersigned counsel, respectfully requests that the Florida Public Service Commission ("Commission") allow oral argument on its Motion for Reconsideration and in support states:

1. EU has filed a Motion for Reconsideration of Order No. PSC-2022-0267-FOF-SU, since the Commission overlooked, ignored and misapplied certain statutory requirements concerning the need and public interest issues.
2. Specifically, the Commission made a finding that there were no requests for service and prominently relied upon that finding in concluding that there was no need for conversion from septic tanks to central wastewater service. In doing so the Commission must have taken a constrained interpretation of "request for service" since there were many letters, and Mr. Boyer's testimony, in support of central wastewater service. Testimony from members of PIE even supported central wastewater service but wanted the service from the County. The Commission has either overlooked this evidence or created a new interpretation for "request for service". Oral argument would aid the Commission in understanding the industry position on this misinterpretation of a "request for service".
3. Additionally, the other new standard created by this ruling is that a state or local environmental regulator must mandate the installation of central wastewater service or identify an immediate health concern. The Commission also misunderstood or ignored the support by the Charlotte County Board of County Commissioners as expressed in the deposition testimony County

witness testifying to the County's 100% support for central wastewater service, and in the letter from the County Staff. This support for the Application, while not making septic to sewer mandatory, expresses the Board of County Commission's public policy need for the project. Research has not found any original certificate case where this novel basis has been used, and oral argument will assist the Commission in understanding the ramifications of this new standard, and whether it is good public policy.

4. Finally, oral argument will assist the Commission in addressing the interpretation of the County's Comprehensive Plan, and its Sewer Master Plan which the County states as support for central wastewater service on the islands.

WHEREFORE, Environmental Utilities, LLC respectfully requests the Commission allow each party fifteen (15) minutes for Oral Argument on its Motion for Reconsideration.

Respectfully submitted this 22nd day of July, 2022, by:

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by E-mail to the following parties this 22nd day of July, 2022:

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