

Antonia Hover

From: Antonia Hover on behalf of Records Clerk
Sent: Thursday, April 18, 2024 3:22 PM
To: 'Peter Schaffer'
Cc: Consumer Contact
Subject: RE: Docket #20240032-SU

Good Afternoon, Peter Schaffer.

We will be placing your comments below in consumer correspondence in Docket No. 20240032, and forwarding them to the Office of Consumer Assistance and Outreach.

Thank you!

Toni Hover
Commission Deputy Clerk I
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
Phone: (850) 413-6467

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your email message may be subject to public disclosure.

From: Peter Schaffer <schaffer.peterw@gmail.com>
Sent: Thursday, April 18, 2024 1:27 PM
To: Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Chairman 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>; Office of Commissioner Fay <Commissioner.Fay@psc.state.fl.us>; Office of Commissioner Graham <Commissioner.Graham@PSC.STATE.FL.US>
Subject: Docket #20240032-SU

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Commissioners,

First and foremost, I formally request that the PSC **deny Environmental Utilities LLC's application for an Original Certificate of Authorization** to provide wastewater service and direct your attention to the following factual data points:

To date, no evidence supports a requirement to abandon existing privately owned and well-maintained individual wastewater systems in the proposed service area. In fact, expert witnesses testifying at prior Administrative Hearings refuted all arguments that **Environmental Utilities LLC** put forward in attempting to support the need for service.

Going further, the Final Order from the PSC, denying **Environmental Utilities LLC's** previous application, indicated that the PSC fully understood and supported the community's countless factual data points refuting baseless claims for the necessity of a private, profit-centered utility that would charge egregious usury rates far in excess of what a county-

provided system, with lifecycle amortized development, depreciation, and substantially lower non-profit rate structure, would cost taxpayers.

In addition, the PSC fully understood that, along with the associated level of community opposition to neophyte Environmental Utilities LLC's lack of any demonstrable wastewater development / operating history, customers would not voluntarily accept the economic hardship and countless development and operating risks associated with their proposed system.

Additional factors requiring significant consideration:

Environmental

There is no water quality testing data that supports a proposal to abandon existing well-maintained wastewater systems or the devastating development impact of construction, which will unnecessarily expose, compromise, and irreparably interfere with sensitive habitats supporting wildlife, including endangered species such as the gopher tortoise.

Urban and Rural Service Areas

The Charlotte County Comprehensive Plan categorizes land in two groups: the Urban Service Area and the Rural Service Area.

The Urban Service Area is intended to direct development to places that are desirable for large populations and provide infrastructure and utilities to attract developers.

The Rural Service Area designation is intended to minimize / direct development away from an area.

As our barrier islands are within the **Rural Service Area**, the associated Comprehensive Plan mandates that only on-site septic systems are allowed. Nonetheless, for some unexplained reason Charlotte County is attempting to overlook the mandate of on-site septic systems by suggesting that while the County is prevented from installing a central sewer system, they are somehow allowed to abdicate responsibility to provide services by transferring said responsibility to a profit-centered private utility which will somehow circumvent the mandate, thereby exposing the tax paying citizens to both environmental damage and unconscionable economic burden.

Under any circumstances, if a neophyte, private, profit-centered utility with no operational experience or history, and a proposed rate structure far in excess of what the county would provide, is able to circumvent the mandate and develop a central wastewater system, I believe that a thorough and transparent investigation is necessary to confirm exactly why Charlotte County is not able to provide the same service, with a rate structure that is consistent with the Charlotte County Community wastewater services at large.

Easements

Another consequence of Charlotte County abdicating its responsibility is that each property owner would be forced to grant easements and suffer through development-associated private property repairs without any compensation or benefit. i.e., The private developer can recoup its investment and will also receive an ongoing annuity comprised of excessively high rates while the county leaves the tax-paying citizens to deal with the inflated expenses. This is no different than the egregious \$60 minimum monthly rates the Barrier Island residents pay Bocilla Utilities for reselling Englewood Water District water, whether or not they consume a drop of water.

14.0 RIGHT-OF-WAY OR EASEMENTS - The Customer shall grant or cause to be granted to the Company, and without cost to the Company, all rights, easements, permits, and privileges which are necessary for the rendering of wastewater service.

Current and Proposed Costs

The individual homeowner cost of central sewer is unnecessary and considerable.

It is also worth noting that due to damage incurred from Hurricane Ian, there are homeowners on the islands have expended enormous sums to install new or repair existing septic systems at their newly built or rebuilt homes. It is unconscionable that the State and County now force the unnecessary abandonment of those systems and allow a private utility to egregiously profit off the tax-paying citizens' backs.

Current Homeowner Costs

Typically, individual homeowners have little to no operating costs other than periodic pumping every three to five years to remove typical solid waste accumulation from holding tanks.

Proposed Environmental Utilities LLC's \$\$\$

Environmental Utilities LLC's application indicates that the *initial hook-up* would cost **\$12,000.00 plus \$1097** for the sewer lateral installation fee (*the charge to run the pipe from the road to the location of the equipment near your home*). In addition, **an initial deposit of \$414** is also required, which is 2x the estimated monthly bill. PIE believes that this figure does not include additional expenses that the homeowner may be obliged to pay (see below).

Ongoing Monthly Costs

Environmental Utilities LLC's application estimates average household usage at 2,500 gallons/month. Based on this figure, the monthly billing would be **\$207.00/month**. However, the PSC estimates average household usage to be 4,000 gallons/month. Using this figure, the monthly billing would be **\$263.57** for wastewater service alone, exclusive of your separate water bill.

Related Costs

Additional items that may be required based on individual homeowner requirements

- \$\$ Cost of pump-out and maintenance of new system tank
- \$\$ Cost of ALL permitting, i.e., removal, installation, rehoming wildlife, etc.
- \$\$ Cost of electric installation for system
- \$\$ Cost of additional electric service if needed (potential of new or added panel)
- \$\$ Cost of replacing anything more than the "basic landscaping" that the hook-up agreement states will be replaced.
- \$\$ In the event of another bad storm or lengthy power out, you may need to have a generator to prevent sewage backup on your property.

In closing despite the lack of necessity to replace the current on-site functional septic systems, Charlotte County, without transparent justification, is attempting to abdicate its duty to provide services to its tax-paying citizens by transferring its responsibility to an inexperienced "profit-centered" utility with an exceptionally high passthrough rate structure that will continually escalate and that citizens will be required to pay in perpetuity.

With the above in mind, the citizens of Charlotte County look to the PSC, which clearly understands the significant environmental, economic, and developmental / operational risks associated with **Environmental Utilities LLC'** application, to protect the community and deny said application.

Thank you

Peter Schaffer
schaffer.peterw@gmail.com