

**Charlie Smith**

**From:** Charlie Smith on behalf of Records Clerk  
**Sent:** Friday, February 28, 2025 11:38 AM  
**To:** 'Yahoo!'  
**Cc:** Consumer Contact  
**Subject:** RE: Docket 20240032

Good morning Barbara Dwyer,

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.

Best regards,

*Charlie Smith II*

Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
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**From:** Yahoo! <bdwyer31@yahoo.com>  
**Sent:** Friday, February 28, 2025 10:22 AM  
**To:** Records Clerk <CLERK@PSC.STATE.FL.US>  
**Subject:** Docket 20240032

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Good Morning

My name is Barbara Dwyer. I am a full time resident of Little Gasparilla Island at the Hideaway Bay Beach Club Condos (HBBC) 9400 Little Gasparilla Island - Unit G8. I homestead this property. I am asking that the PSC deny the application by Environmental Utilities (EU) to install sewers on LGI - Docket # 20240032. I believe EU has violated every tenet that the PSC is supposed to rule on. My arguments are as follows:

**Notification to all affected parties**

On May 13th, EU's attorney submitted a document indicating HBBC was excluded from the scope of this project. On December 6th, EU's engineer submitted his rebuttal testimony indicating that the Waste Water (WW) Transmission Main would be brought from Placida Rd on the mainland to HBBC property on LGI. This is a substantive change to the application and directly affects the 102 owners at HBBC. This change was not brought to the attention of any of the owners, the HBBC board, the HBBC property management company or the HBBC attorney. *The residents of HBBC are being denied our due process.*

### **Use of land**

EU has not contacted HBBC about the right to use our land. If we are truly not within the scope of this project, EU has no right to bring the WW transmission line to our property without notification.

In Jack Boyer's rebuttal testimony, he mentions using the 'quick take' method of eminent domain to secure the property he needs. Is this how EU intends to usurp the property at HBBC? Shouldn't eminent domain be a last resort instead of the intended business practice? *Again the residents of HBBC are being denied our due process.*

### **Expertise of the applicant**

EU's change to the location to the second WW Transmission line was based on the information in the 2017 Sewer Master Plan (SMP). This document is now 8 years old. In 2020, Florida Power & Light (FPL) brought a second electric trunk line to LGI. The electric trunk line was brought up at the same location as the proposed WW transmission line. However, the electric line was brought over from the Boca Grande Causeway west of the swing bridge whereas the WW line will be coming from Placida Rd. Is it even possible that the transmission line could be directionally drilled from a different starting location to the same ending location on HBBC property? There is not a lot of land in this area behind HBBC's A bldg to support the location of a WW transmission line along with an electric trunk line, as well as the electric, water, fire suppression & existing sewer lines that go into the building. *This shows a lack of due diligence on the part of EU to adequately determine if this change to the transmission line was even possible.*

In the 2017 SMP, the county's plan showed the transmission line being brought to the HBBC Septic Plant with a pump station at that location. In the new diagrams submitted by Jonathan Cole's rebuttal testimony, the schematics only shows a bump out at HBBC for a future connection. However, the easement map shows that the lines will actually go into the septic plant. If you are not familiar with LGI, you might not realize that the two parts of schematic maps submitted don't match up. This map cuts off the majority of HBBC's property which makes it difficult to see and deceptive in the discrepancy between the schematic & the easement maps. *There is a lot of conflicting information presented in the application. I don't believe this shows the ability of EU to handle a project of this magnitude on a bridgeless barrier island.*

### **Fair & reasonable costs**

In the 2017 SMP, the county's plan showed the transmission line being brought from Placida Rd to the HBBC Septic Plant. It also indicates that a pump station would be needed at that location. The only empty location at our septic plant is the septic drain field. Any construction on the septic drain field would render the septic plant unusable. That alone would cause the 102 owners at HBBC, & the 30 owners of Placida Beach condos that use this septic plant to be unable to use their homes for the duration of the construction. It would also mean we would have to hook up to the sewer system by default.

When the previous application was being considered, I spoke with the owner of the company (NES) that manages the HBBC septic plant. I asked if we had to hook up to the sewer system what would be the ramifications to HBBC. Other than the increased costs of the sewer system, he told me the DEP would not allow the septic plant to remain if we were hooked up to the sewer. He also told me it would probably cost HBBC upwards of \$500,000 to decommission the septic plant based on our location on a bridgeless barrier island.

Will the residents of HBBC be forced to take EU to court if this application is approved? At a time when HBBC is still trying to rebuild after Hurricane Ian, a potential lawsuit to prevent our land from being taken from us will create an undue financial burden on the residents.

*The unknown costs of being not being able to live in my home for the duration of the construction project, the unknown costs of being forced to hook up to the sewer system by default, the unknown costs of decommissioning our septic plant and the potential unknown costs for fighting this take over of our land cannot be considered fair or reasonable under any circumstance.*

**Need for service**

HBBC owns a DEP permitted septic plant in good working order. *We don't need or want sewer on our property.*

I believe my arguments against this application are sound. Will the 132 families that rely on the HBBC septic plant be penalized in order to bring a sewer system to LGI that the majority of residents don't want?

Please deny the EU application.

Barb Dwyer  
HBBC Unit G8

[Sent from Yahoo Mail for iPad](#)