

Charlie Smith

From: Betty Leland
Sent: Thursday, March 27, 2025 7:59 AM
To: Commissioner Correspondence
Subject: Docket #20240032
Attachments: DENY EU APPLICATION - RE. Docket #20240032-SU; DENY EU APPLICATION - RE. Docket #20240032-SU; RE. Docket #20240032-SU ; Re: Docket #20240032 ; Docket 20240032; RE: Docket #20240032-SU; Docket # 20240032; RE. Docket #20240032-SU; EU application docket #20240032

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning:

Please place this email in Docket #20240032.

Thanks.

Betty A. Leland, Executive Assistant to
Commissioner Art Graham
Florida Public Service Commission
bleland@psc.state.fl.us
(850) 413-6024

Charlie Smith

From: Terrie Weibley <tweibley1@gmail.com>
Sent: Wednesday, March 26, 2025 4:09 PM
To: Records Clerk
Cc: Office of Commissioner Clark; Office of Commissioner Passidomo Smith; Office of Commissioner Graham; Office of Chairman La Rosa; +Commissioner.Fay@psc.state.fl.us
Subject: DENY EU APPLICATION - RE. Docket #20240032-SU

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Dear Commissioner,

Little Gasparilla Island is in upheaval after homeowners read the findings of the PSC Staff re: Docket 20240032-SU. We feel as though we spoke at an entirely different hearing, sat through a different set of compelling statements and weighed the testimony of totally different experts!

Of particular interest is our island's suitability for sewer or more importantly, lack thereof. Those opposed to Environmental Utilities (the overwhelming majority), have real world experience with fragile ground and underground equipment and particularly electrically-dependent equipment and the flooding and storm surges that regularly breach our island. Power outages alone are common here, rendering the system useless for extended periods. This sewer system is doomed from the start.

Our island environment as well as our homes and families will pay a devastating price if you as Commissioners approve this known-to-fail proposal for an individual grinder-based sewage system. We are astonished that any person with common sense could approve such a scheme. Several Islanders specifically testified that their septic tanks were the ONLY thing left intact and working after the overwhelming recent hurricanes. Numerous others could have declared the same, but you didn't want repetition. Are we to be penalized for following that guideline? The force of an ocean determined to have its way can not be answered by fragile equipment, much less electronics. It will all be ruined, washed out to sea and the island will be inundated with sewage! Then there really will be dangerous health hazards. It is almost as if this scheme was designed to chase us away. Hmmm...

The staff concluded that the Charlotte County Commission is behind this project. Yet it was exposed at the hearing that EU's attorney (who previously denied recalling this), had drafted the letter the Commissioners signed. It is especially telling that not a single invited County Commissioner felt that the Environmental Utilities proposal hearing for our island was a meeting with state commissioners at which they wanted to be seen. Instead, their Utilities Director was present to rubber stamp the proposal, about which he apparently knew little. The PSC Administrative Staff found it inconsequential that the very few requests for sewer service came primarily from family members of the man who would most benefit from the contract. As a government entity, it is nothing short of amazing that the PSC would find this inconsequential. "The Commission has never considered the relationship of a requester for service to the proposer..." This is a grievous error. Relationships matter. It is hard to think of an area of legal precedent where they are immaterial. It is past time for the Commission to consider what Islanders are only too aware of. This hapless sewer proposal is a solution to funding a man's future in search of a problem that does not exist. The overwhelming majority of Islanders are crystal clear that there is no need for EU's proposal and that septic tanks alone reliably work on LGI without polluting surrounding waters.

Please Commissioners, just say no. Stop this disaster before it starts. Your commitment is stated in print as providing services that are "safe, reasonable and reliable." Environmental Utilities' proposal will fail all 3 tests. Let our waters remain pristine. Keep endless heavy equipment from trampling and forever erasing indigenous archeological sites and burial grounds known to locals, as well as ruining shelter for a panoply of animals that share our abundant endangered gopher tortoise homes. Don't allow one man's scheme to burden the many for something unneeded, unwanted, destined to fail and certain to damage a fragile last vestige of Old Florida. It is never easy to do the right thing. We still trust that you will do it anyway. We believed that those of you who sat for the hearings displayed sincerity and common sense in your time with us. Thank you for listening yet again. You are our only hope to literally save our island.

Respectfully yours,

Terrie Weibley
9782 Little Gasparilla Island

Charlie Smith

From: Nancy Teresa Eannetta <nte1@cornell.edu>
Sent: Wednesday, March 26, 2025 4:43 PM
To: Office of Commissioner Graham
Subject: DENY EU APPLICATION - RE. Docket #20240032-SU

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Like the majority of homeowners on LGI, we don't think the EU proposed sewer project is a good fit due to the fragile environment and lack of infrastructure,

We don't want this sewer system to be a duplication of the water system, where Jack Boyer placed water meters and lines wherever was cheaper and more convenient for him, two on our property which belong to neighbors. Most of us have a limited amount of property, so the 15 foot easement needed for this project is unacceptable, especially since it will be taken via eminent domain.

We could go on but will end here and ask you to reject this proposal.

Thank you for your time and consideration,

Nancy and John Basile
8500 LGI
nte1@cornell.edu

Charlie Smith

From: Amanda Small <amanda@redrockstech.com>
Sent: Wednesday, March 26, 2025 6:05 PM
To: Records Clerk; Office of Commissioner Clark; Office of Commissioner Passidomo Smith; Office of Commissioner Graham
Cc: Edward Small
Subject: RE. Docket #20240032-SU

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Dear PSC Clerk and Commissioners,

As a registered Interested Person and vocal opponent in Docket #20240032-SU, I was VERY disheartened to open and read my email on 3/20/2025 with the Commission's Post Hearing Decision to recommend Environmental Utilities, LLC's (EU) application for certificate to provide wastewater service in Charlotte County to be approved. Why was this so disheartening? After reading through EVERY word of the document, it was VERY CLEAR that the initial opposition letter I had written to the PSC in 2024 and mine and my husband's testimony at the hearing in January of this year, along with the OVERWHELMING majority of islanders who also wrote letters and provided testimony in opposition clearly were not regarded. I'm a details person. So, I can understand the Commission was following the application process in its recommendation. However, anyone who, like me, read every word of the initial application, read every word of every letter submitted to the PSC docket, and watched every minute of testimony at the public hearing in January of 2025, would easily grasp that the VAST MAJORITY of the those of us in the proposed service area did not request service, do not want this service, there is no proven need for this service, cannot afford this service, and would DENY this application. Just like you denied it the first time EU applied. The Commissioners at the hearing in January seemed to be listening at the time and seemed to indicate that they were indeed taking our testimony into consideration. I am begging you to recall all of the letters written and testimony given once again before you make your final decision on this docket. If you do so, you will come to the obvious conclusion, that this application should be denied for a SECOND time.

Below are a some of the highlights that I and many of my fellow islanders have already hammered on again and again as to why this application should be denied:

- We did not request this service.
- We do not want this service.
- There is no proven need for this service (no water quality tests or tests otherwise have illustrated a problem).

- We cannot afford this service (in excessive installation costs, new monthly service fees, never ending and frequent maintenance and repairs, loss of property rights in easements needed).
- The estimated cost by EU to install this is GROSSLY underestimated for our unique bridgeless barrier island environment.
- Our current septic system has worked for years without failing during power outages and named major storms and is properly maintained.
- Our home values and quality of life will sharply decline for years, if this is approved, as we will be living on an unlivable island while the ferry traffic will only get worse (already frequently an hour in each direction to get on or leave the island due to higher living density and increased contractor traffic due to new construction and never ending hurricane repairs) and no one will want to live or buy here.
- Charlotte County currently will no longer approve installation of the proposed system due to its excessive maintenance costs and potential contamination spills.

I could go on, but I should think you know all of this by now. Please use the discretion allotted to you to DENY this application for a second time!

Thank you,

Amanda and Edward Small

30 Kettle Harbor Drive, Placida, FL 33946 (full-time residence)

12 Pointe Way, Placida, FL 33946 (owned vacant lot in the service area that will never be built on if this application is approved)

Charlie Smith

From: McCoy, Thomas <thomas.mccoy@vanderbilt.edu>
Sent: Wednesday, March 26, 2025 6:25 PM
To: Office of Chairman La Rosa; Comissioner.Clark@psc.state.fl.us; Office of Commissioner Passidomo Smith; Office of Commissioner Graham; Office of Commissioner Fay
Subject: Re: Docket #20240032

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Dear Commissioners:

I am writing this letter on behalf of myself, Thomas R. McCoy, and my spouse, Judith A. McCoy. We own and reside in our home at 9720 Little Gasparilla Island. We have owned our house on LGI since 1994 and have been full time residents there since 2007. We are writing to formally object to the request by Environmental Utilities for authorization to construct a wastewater collection system on LGI. For environmental reasons, we would strongly endorse any proposal by a suitable government or not-for-profit entity to construct a traditional full sewer system on LGI. But we strongly object to EU's current proposal.

Applicant EU is not competent to conduct the construction and maintenance of a sewer system on the island. EU has no experience at all with any aspect of constructing and maintaining a sewer system. EU's poor performance in the construction and maintenance of the existing potable water supply system on LGI suggests that it should not be entrusted with the construction and maintenance of a much more environmentally sensitive sewer system. EU's water system on the island is plagued by inadequate pipe capacity, poor pipeline location and construction, frequent pipeline breaks, and frequent water outages followed by "boil water" notices to all affected residences.

The current proposal will subject the homes on LGI to substantial and unnecessary costs. Unlike most sewer systems that are operated by a governmental unit or utility district, the proposed system is designed to generate a substantial profit for its private owner-operator, thus significantly increasing the homeowner's cost beyond the cost of a nonprofit public utility. And because EU is a private for-profit business, construction and operation of the system would not qualify for the wide range of state and federal grants which significantly reduce the costs to homeowners served by traditional not-for-profit sewer systems.

In short: EU is not the provider LGI owners should be forced to accept in order to meet LGI's environmental needs, and the cost structure proposed is not the cost structure to which LGI owners should be subjected in order to meet the environmental needs. We urge the PSC to reject EU's current application.

Thomas r. McCoy
Judith A. McCoy

Charlie Smith

From: Bridget Bush <bbush927@gmail.com>
Sent: Wednesday, March 26, 2025 6:33 PM
To: Office of Commissioner Graham
Subject: Docket 20240032

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I am an owner at Hideaway Bay Beach Club on Little Gasparilla Island.

I strongly object to the proposed plan to bring a sewer to LGI. What is most disturbing to me is that Hideaway was specifically excluded from the plan, because we have a well-functioning septic system. Now, the permit seeker wants to build the sewage system on top of our lateral fields - which would require us to pay a half million dollars to decommission the septic system, in addition to the cost of hook up.

The way Hideaway Bay was surreptitiously added into this plan at the last minute, without our knowledge or consent, smacks of a violation of our rights to due process. I and my neighbors stand ready to fight this as hard and as long as it takes.

Thank you for your time. Please oppose this terrible plan.

Bridget Bush
9400 Little Gasparilla Island, D9

Charlie Smith

From: Michelle Presnell <kmp5983@yahoo.com>
Sent: Wednesday, March 26, 2025 7:12 PM
To: Records Clerk; Office of Commissioner Clark; Office of Commissioner Passidomo Smith; Office of Commissioner Graham
Subject: RE: Docket #20240032-SU

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Sent from my iPhone Hello,

> My name is Michelle Presnell. My husband Ken and I are owners of two units in the Don Pedro Colony on Palm Island.
> I am writing to you to formally request that the EU application for wastewater be denied. After damage from hurricanes Helene and Milton, We have just had our septic system completely refurbished and repaired and are very happy with our system as is.

> There are several concerns shared by my husband and I as well as many others on the Island.

> The main concerns for us are the following:

> • The fact that there hasn't been any soil testing done to prove the need for sewer on the Island plus the potential of sewer spill into the intercostal.

> • The cost of the mandatory hook up along with added monthly costs from the waste water which doesn't included added costs from electric and upgrades needed for said systems.

> We should not be forced to take on the expense that this system will inflict upon us when it is absolutely not needed or wanted by owners!

> Please take these concerns into consideration and deny the Application for the Original Certificate of Authorization for this proposed sewer system.

>

> Thank you for your time and consideration , Michelle Presnell

> 301 South Gulf Blvd units 17 & 18. (Palm Island) Placida, Florida

> 33946

>

Charlie Smith

From: Christine Junior <cannjr69@gmail.com>
Sent: Wednesday, March 26, 2025 7:29 PM
To: clerk@psc.state.fl; Office of Commissioner Clark; Office of Commissioner Passidomo Smith; Office of Commissioner Graham
Subject: Docket # 20240032

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Attn: Public Service Commission

We are homeowners at Hideaway Bay on Little Gasparilla Island. It has come to our attention that Jack Boyer did not give proper notice of the significant change to bring the waste water transmission line to Hideaway Bay Beach Club property. We were originally excluded from this project. How can this be legal to not send out notification? This was an underhanded maneuver to sneak this in. This change directly negatively impacts all 102 owners at Hideaway Bay. We are asking you to deny the application on April 1 so that we can adequately fight this change.

Thank You

Joseph and Christine Junior

9400 Little Gasparilla Island unit H-5

Charlie Smith

From: Shine Duct Systems <shineducts@gmail.com>
Sent: Wednesday, March 26, 2025 9:08 PM
To: Records Clerk; Office of Commissioner Clark; Office of Commissioner Passidomo Smith; Office of Commissioner Graham; Office of Chairman La Rosa; Office of Commissioner Fay
Cc: Shine Duct Systems
Subject: RE. Docket #20240032-SU

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Dear Commissioners:

We just bought the property located at 9282 Little Gasparilla a month ago. We are writing to ask you to deny the application by Environmental Utilities (EU) to bring a private sewer to the island . I have been reading and watching the hearings and docket documents as well as talking to my new neighbors and investigating. I haven't seen any evidence presented about why the system is needed and all the neighbors i have met so far oppose to the sewer as well. Another important aspect is the excessive cost and financial burden this project will bring to each owner. I own an air conditioning company and I've seen the materials, labor and insurance costs incredibly raised in the past years . We do pipe fitting very similar to the proposed system and I saw the list of materials that were calculated with the difficulties of working on a bridgeless island , the backup generator and the pump needed some were estimating a cost per owner of \$40,000 , in my honest opinion I think it would be more than that. The technology proposed for the system lacks efficiency in emergency situations and if the pumps fail the system will back up and overflow. I watched a Commissioners meeting on January 7th where I saw that LGI wasn't in the Charlotte county sewer plan for at least the next 10 years, and it was explained in that meeting that the reason it wasn't included was because the environmental impact the septic tanks in low populated areas like LGI was almost nonexistent. I could keep writing pages and pages of reasons why I oppose to the centralized sewer system but the only question I had has been answered. The county already established that a sewer system is no needed for LGI in the next 10 or 15 years therefore LGI wasn't included in the Charlotte County Master Sewer Plan. So why would a for profit private company be granted a project to do something that the county deemed wasn't needed ? The answer is very simple. The application by EU needs to be denied. I hope you side with me and the hundreds of neighbors that have asked the same and do what's right for us and the community .

Thanks in advance,

Respectfully

Marlon Lopez

786-261-5026

Shine Duct Systems

Charlie Smith

From: Yahoo! <bdwyer31@yahoo.com>
Sent: Wednesday, March 26, 2025 11:01 PM
To: Records Clerk; Office of Commissioner Clark; Office of Commissioner Graham; Office of Commissioner Passidomo Smith
Subject: EU application docket #20240032

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Dear Commissioners,

My name is Barbara Dwyer. I am a full time resident of LGI at 9400 Little Gasparilla Island Unit G8 which is part of the Hideaway Bay Beach Club condos. (HBBC). I am writing this letter to ask you to **deny** the application by Environmental Utilities for a certificate to install sewers on our island.

EU made the change to the location of the waste water transmission line from Don Pedro State Park to the HBBC property. Even though we were excluded from the scope of this application on May 13, 2024 (Doc # 03001-2024) by EU's attorney, this change directly affects every one of the owners at HBBC. We were not notified of this substantial change to the application. This is a direct violation of one of the tenets by which the PSC should base their decision - proper notification of all involved parties. This change to the application without notification denies the owners at HBBC of our due process to be able to fight this change.

The letter from the HBBC lawyer, Nick Porter dated February 28, 2025 (Doc #01210-2025) also states HBBC's position in this matter. I was extremely disappointed the PSC staff did not take into account this oversight in notification in their recommendation.

132 Families are being denied their due process because of the change made by EU without notification.

If EU plans to use the model as indicated in the 2017 CC SMP, the pump house for the sewer will be built on the HBBC Septic Plant drain field. Building anything on our drain field will result in the community being shut down completely while the construction is underway. It will also force us to hook up to the EU sewer despite being excluded from the scope of this project. How can this be done without any kind of notification? Again, 132 families are being denied our due process.

Because we were excluded from the scope of this application, there have been no estimates of the hook up costs for the condos. If this scenario plays out, HBBC would have to be the first people forced to hook up to the sewer system. We wouldn't have any recourse to this questionable action by EU, we wouldn't have any indication of the costs associated with this action, we wouldn't be able to use our homes resulting in additional living expenses until the initial sewer construction was completed and we would have to assume the costs of decommissioning our septic plant. Is this fair & reasonable for the 132 families that are excluded from the scope of this application.

132 families that are directly affected have not been notified. 132 families currently using a DEP permitted septic plant do not need a sewer line brought to our property. 132 families have no idea what the financial burden will be if this transmission line is brought to our property.

Please do the right thing and deny this application.

Barbara Dwyer
HBBC Unit G8