

Antonia Hover

From: John Plescow
Sent: Wednesday, April 2, 2025 4:16 PM
To: Consumer Correspondence; Consina Griffin-Greaux
Subject: FW: For Docket 20240068 Urgent Need for Infrastructure Inspection and Remediation - Shadowbay Club, Longwood, FL - Sunshine Water Group (Nexus Water Group)

Please, add to docket 20240068.

From: Consina Griffin-Greaux <CGriffin@psc.state.fl.us>
Sent: Wednesday, April 02, 2025 4:07 PM
To: John Plescow <JPlescow@PSC.STATE.FL.US>
Subject: RE: For Docket 20240068 Urgent Need for Infrastructure Inspection and Remediation - Shadowbay Club, Longwood, FL - Sunshine Water Group (Nexus Water Group)

John,

Did you say to file as docket and as a C or just as docket? Geesh I am beat.

Thanks

From: John Plescow <JPlescow@PSC.STATE.FL.US>
Sent: Wednesday, April 2, 2025 10:08 AM
To: Consina Griffin-Greaux <CGriffin@psc.state.fl.us>
Subject: FW: For Docket 20240068 Urgent Need for Infrastructure Inspection and Remediation - Shadowbay Club, Longwood, FL - Sunshine Water Group (Nexus Water Group)

This is the one we discussed earlier.

From: Robin R <shadowbayrobin@gmail.com>
Sent: Wednesday, April 02, 2025 9:27 AM
To: Consumer Contact <Contact@PSC.STATE.FL.US>; John Plescow <JPlescow@PSC.STATE.FL.US>; Consina Griffin-Greaux <CGriffin@psc.state.fl.us>
Subject: For Docket 20240068 Urgent Need for Infrastructure Inspection and Remediation - Shadowbay Club, Longwood, FL - Sunshine Water Group (Nexus Water Group)

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

Hello,

As a customer and as a representative of my community, Shadowbay Club, we do not support the Commission granting rate increases for self-serving, wasteful projects while the utilities' aging infrastructure is ignored. Please reference my email below in its entirety.

Nexus Water Group, Inc., as successor by merger to Corix Infrastructure (U.S.), Inc. and SouthWest Water Company, should be prohibited from benefiting from any rate increases to their company Sunshine Water

Services Company. We are not interested in paying for them to defend themselves against indefensible legal cases to keep their decision makers from criminal prosecution or civil liability. Nor are we interested in paying for charitable donations or a SVP's salary. The only rate increases Sunshine Water Services Company should be allowed to claim are those directly and 100% attributable to the testing, maintenance, and replacement of the aging infrastructure they purchased.

Nexus is the tip of the investment iceberg and, given the complaints from every state Nexus is in, the Commission should compel the anonymous investors to stand and deliver for their investment (or lack thereof). These companies are run by brilliant people who ought to know what failing infrastructure looks like when they see it.

If the Commission has the regulatory authority, we implore that they subpoena Nexus Water Group, Inc., Utilities, Inc., and Corix executives to appear for the May 6, 2025, hearing/vote. The Sunshine Water Services Company representatives give the same testimony in every state: "let us buy this utility - it will benefit from access to our capital and our expertise." Yet what follows in every single state - California, New Jersey, Indiana, Arizona, and on and on - is rate increase after rate increase with no return on investment for the customers and citizens paying for the failing infrastructure while the utility files motion after motion for confidentiality to protect its trade secrets.

I'm not sure why they bother with those motions. The Nexus strategy is very simple and is the same playbook developers use...only Nexus uses it in the utilities world instead of the real estate world. Target small, privately owned, cash-strapped utility companies; then do as little as possible to maintain the infrastructure; then take as much money as possible out of the company while creating a complex web of rate increases with cross pollination of costs across jurisdictions; then throw scant and pitiful amounts of "charitable" contributions into the community to give the appearance of being a good community partner; then leverage political and developer connections from said pitiful charitable contributions to bring in even more money which can be pulled out while the utility passes more rate increases to cover the costs of those deals; and rinse and repeat.

The Commission is allowing too many outside interests in Florida. Florida and Floridians should own Florida's resources. Period. With due respect, the Commission is capable of stopping the bad behavior by not rewarding Sunshine Water Services with a rate increase. Nexus Water Group, Inc.'s corporate structure rolls up to an investment firm in Canada called British Columbia Investment Management Corporation. Why are these people not being asked to attend hearings and go on the record about why they are interested in Florida's water? It would be one thing if Sunshine were taking care of its customers and its customers were getting the benefits of international best practices and partnerships - but I can assure you we are most certainly not benefiting in any way, shape, or form.

In fact, when I inquired about water reclamation lines for irrigation being run to our community to help us be better stewards of the water supply, Sunshine representatives told me it was "too expensive". I invited them to come out and see how close our community was to the end of their existing water reclamation system to try to see if that would make a difference in the price point they anticipated. We are literally located the next community over from the existing lines - we are not talking about 5000 feet of new infrastructure here. I never got the chance to make my case because they never responded to my email. That is unacceptable given the stance that the State of Florida and SJRWMD has taken with respect to encouraging water reclamation.

Please add this letter and attachments in their entirety to the docket 20240068. Please call me with any questions you have. I am happy to speak to anyone who will listen about this.

Thank you.

Sincerely,
Robin Rodriguez
Shadowbay Club HOA
2740 Night Hawk Court
Longwood, FL 32779
352-414-0771

----- Forwarded message -----

From: **Robin R** <shadowbayrobin@gmail.com>

Date: Tue, Apr 1, 2025 at 22:57

Subject: Urgent Need for Infrastructure Inspection and Remediation - Shadowbay Club, Longwood, FL - Sunshine Water Group (Nexus Water Group)

To: <asktheceo@nexuswg.com>, <Steve.Lubertozzi@uiwater.com>, <alison.zimlich@nexuswg.com>, <Jim.Devine@uiwater.com>, <shawn.elicegui@corix.com>, <jimdevine@regiment.org>, <rmaclean@swwc.com>

CC: Shadowbay Club <shadowbayclubhoa@gmail.com>, <Ponce.Octavio@leg.state.fl.us>, <rsandy@psc.state.fl.us>, <sfarooqi@psc.state.fl.us>, <trierweiler.walt@leg.state.fl.us>, <rehwinkel.charles@leg.state.fl.us>, <watrous.austin@leg.state.fl.us>

This email is addressed to:

1. Rob MacLean, Chief Executive Officer, Nexus Water Group, Inc.
2. Jim Devine, Chief Enterprise Services Officer, Nexus Water Group, Inc.
3. Alison Zimlich, Chief Financial Officer, Nexus Water Group, Inc.
4. Shawn Elicegui, Chief Legal Officer, Nexus Water Group, Inc.
5. Steve Lubertozzi, Senior Vice President of Rates, Regulatory and Legislative Affairs, Nexus Water Group, Inc.

With CC and plea for help to:

1. Walt Trierweiler, Public Counsel, Attorney for the Citizens of the State of Florida
2. Charles Rehwinkel, Deputy Public Counsel, Attorney for the Citizens of the State of Florida
3. Austin A. Watrous, Associate Public Counsel, Attorney for the Citizens of the State of Florida
4. Octavio Simoes-Ponce, Associate Public Counsel, Attorney for the Citizens of the State of Florida
5. Ryan Sandi, Office of General Counsel, Florida Public Service Commission
6. Saad Farooqi, Office of General Counsel, Florida Public Service Commission

Nexus Water Group Executives,

This letter serves as a formal and urgent demand for immediate action regarding the critical infrastructure failures within the Shadowbay Club community in Longwood, Florida, serviced by Sunshine Water Services, which is a subsidiary of Nexus Water Group, Inc. We are writing to you as the first controlling entity in a long line of controlling entities and investors, to address the systemic negligence and malfeasance that Sunshine Water Group has demonstrated. If we do not get resolution from you, we will continue to go up the chain of investors in Sunshine Water Services who have utterly failed the customers of Sunshine Water Services. Someone at some point will care. I'm hoping it will be someone on this email.

Our community is **experiencing infrastructure failures in multiple locations in the community**, including driveways and ground collapsing near sewer manholes. The local Sunshine Water Group leadership has demonstrated what appears to be in our opinion an intent to avoid liability. They send contractors out who "inspect" the areas and either authorize subpar repairs that necessitate multiple trips to the community to

perform the same work/fixes, or outright deny that Sunshine Water Services' facilities are responsible for the collapsing even as the collapses are right next to Sunshine facilities. You need not take my word for it - Sunshine's own "service" and "maintenance" records will substantiate the repeated visits over the past 2 years with little resolution to speak of.

Sunshine Water Services and Nexus Water Group, Inc.'s records are appalling in our geographical area. The public record is filled with documentation that Sunshine and Nexus have consistently ignored necessary infrastructure maintenance, while spending substantial resources on wasteful projects and defending its corporations against a ridiculous **657 Florida Department of Environmental Protection (FDEP) violations, including a referral for criminal charges**. This pattern of disregard for customers is unacceptable, and, at least in Shadowbay Club, poses a threat to the safety and well-being of our residents. We have tried for some time to work with local Sunshine Water Group leaders. What we experienced was months and months of being ignored; another utility having to send crews out to fix what Sunshine contractors broke (and pursue reimbursement through a utilities insurance claims company because expecting Sunshine to take responsibility for its own contractors' actions is apparently a fool's errand); and we are told that ground and driveways caving in is not an emergency.

Here are Shadowbay Club's findings: the expenditure of **\$20 million on unneeded AMI meters is reprehensible** in light of our failing infrastructure and residents' calls which are largely ignored for as long as possible. The financial and operational decisions Sunshine and Nexus are making suggests a prioritization of remote data collection over essential system maintenance. One could suggest that the move to AMI meters was actually a move *away* from meter readers - those team members who put in work orders regarding infrastructure problems they see out in the field. No meter readers means no inconvenient notifications by company team members of observed infrastructure issues, and that means less reporting metrics to disenfranchise regulators and alienate investors. In my opinion, this belongs to the list of unacceptable actions Sunshine and Nexus have taken.

We need Sunshine and Nexus to throw some serious time and money into fixing our community's sewer and stormwater infrastructure. It's way overdue. Our community has existed since 1983 and these facilities have a finite lifespan. We have divots in the asphalt, washout in driveways, and washout in the ground on all streets and greenspaces in our community - the issue is widespread in the sense that it is located in places all over the community. To that end, we need and demand Sunshine and Nexus take actions to diagnose and fix ALL the issues with the facilities, not just the ones with visible wreckage. My research indicates that, at a minimum, Sunshine and Nexus can and should do the following:

1. Comprehensive Infrastructure Inspection: A deep, thorough, and legitimate inspection of our water and wastewater systems, encompassing all aspects of testing, including but not limited to:
 1. Potable Water Testing: Chemical analysis (including heavy metals, organic compounds, and disinfection byproducts), microbiological analysis (including bacteria, viruses, and parasites), and physical characteristics (turbidity, color, and odor).
 2. Wastewater System Testing: Biological Oxygen Demand (BOD), Chemical Oxygen Demand (COD), Total Suspended Solids (TSS), nutrient levels (nitrogen and phosphorus), fecal coliform/E. coli counts, and heavy metal analysis.
 3. **Structural Integrity Assessment: Comprehensive evaluation of all pipes, manholes, lift stations, and treatment facilities, including CCTV inspections, pressure testing, and soil stability analysis.**
 4. Ground Penetrating Radar (GPR) scans: to locate and determine the condition of buried pipes and structures.
 5. Leak Detection Surveys: Acoustic and tracer dye testing to locate leaks in both water and wastewater lines.
2. Prompt Reporting of Findings: A detailed report of the inspection findings provided to the Shadowbay Club community.

3. Clear Schedule for Repairs and Upgrades: A clear and actionable schedule for all necessary repairs and upgrades to our water and wastewater systems must be provided with all due urgency according to our definition, not yours. This schedule must include specific timelines and milestones.
4. Moratorium on Non-Essential Spending: cease all non-essential spending of customers' money until the critical infrastructure issues in Shadowbay Club and other communities like ours are addressed.

If doing the right thing for the sake of it is not incentive enough to help us in Shadowbay Club, may I suggest one more incentive. Shadowbay Club residents are adept advocates of themselves and the community. We are skilled in engaging with local politicians, leveraging media contacts and giving interviews, and launching social media campaigns. From my research, Nexus and its layers of companies have left a trail of unhappy state regulators and angry customers everywhere it moves in. It won't be hard for Shadowbay Club residents to align with other unhappy customers and communities, and we will make ourselves available for rate increase hearings to ensure Sunshine customers are well known to Florida's regulators.

Mr. Lubertozi, in documents filed with the state of Florida June 2024, you gave written testimony to the Florida Public Service Utilities Commission in which you stated, "SWS will continue to have access to the capital needed to make the investments necessary to provide reliable service to its customers." You repeatedly make this promise to various other states. If you actually meant it at any point in time, then we implore you to begin those investments in Shadowbay Club in Longwood, Florida. We need and, with respect, demand at this point, that Nexus Water Group, Inc. send representatives with the operational and budgetary authority to shepherd through testing, replacing, repairing, and upgrading our community's infrastructure.

After much research into public records in Florida and other states, after which I came away thoroughly disgusted, the kindest opinion I found was one from the Florida Office of Public Counsel in documents filed March 2025. The document stated in part, "The deliberate substitution of expensive AMI meters...in the place of much needed wastewater system upgrades to address over **657 recent Department of Environmental Protection ("DEP") violations which include a criminal referral**, makes Sunshine a **contender for worst performing Investor-Owned Utility in Florida in recent memory**. Sunshine's performance is **so bad** that its **own president admits that mismanagement occurred**. While its long-suffering customers endure the Company's brash indifference and as affordability concerns increase at an alarming rate, Sunshine has fast-tracked the installation of an **unnecessary \$20 million project that fails to address recurring sewage spills.**"

What a **shameful legacy from individuals such as yourselves**, with such esteemed pedigrees and backgrounds in capital improvements, best practices in utilities engineering, and investment in utilities infrastructure that gives you access to the most efficient and modern utilities infrastructures in the world. We hope you read this and remember why you got into your fields in the first place. Surely when you started out, there must have been some part of you that wanted to make a difference and not just collect ridiculously high salaries and make deals with developers and venture capitalists.

We implore the Florida Public Service Utilities Commission and the Florida Office of Public Counsel to be a presence during inspections and facility upgrades that Sunshine and/or Nexus undertake, whether in Shadowbay Club or anywhere else. Sunshine and Nexus require active oversight as they do not seem to prioritize regulatory mandates and ignore basic infrastructure and water quality standards set by the government. Many, many states are unhappy with Nexus companies. My phone number is listed below, and I am happy to discuss any and all of this with you by phone or email at any time. I have blind copied several of our community's concerned residents on this email in order to encourage our residents to share their experiences and concerns with people beyond the voices at the end of Sunshine's "customer service" line. However, due to Florida laws governing homeowners' associations, I am not able to openly copy residents. Thank you in advance for any assistance you can provide us and the thousands of Sunshine Water Services customers in Longwood, Florida.

Attachments list is below my signature block.

Sincerely,
Robin Rodriguez
Board Director
Shadowbay Club Homeowners Association, Inc.
Phone Number: 352-414-0771

Attachments:

1. Shadowbay Unit Two Plat
2. Shadowbay Unit Two Phase II Plat
3. Pictures Taken Today (April 1, 2025) of Driveway Washout Along Sunshine Water Services Infrastructure Lines
4. Email Response Dated March 21, 2025, from Bobby Tedder at Sunshine Water Services to Robin Rodriguez Advising the Washout in Other Community Areas Is Not Sunshine Water Services' Responsibility
5. Emails from Robin Rodriguez Dated March 15, 2025 with Copies of October 2024 Emails Requesting Sunshine Water Services Inspect Their Infrastructure and Repair It
6. Post-Hearing Brief of the Florida Office of Public Counsel Filed March 14, 2025, Document No. 01800-2025
7. Direct Testimony of Steven M. Lubertozi on behalf of Sunshine Water Services Company Filed June 28, 2024, Document No. 07036-2024