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BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20200226-SU

Application for certificate to  
provide wastewater service in  
Charlotte County, by  
Environmental Utilities, LLC.

\_\_\_\_\_ /

PROCEEDINGS: SERVICE HEARING

COMMISSIONERS  
PARTICIPATING: COMMISSIONER GARY CLARK  
COMMISSIONER MIKE LA ROSA  
COMMISSIONER GABRIELLA PASSIDOMO

DATE: Tuesday, February 8, 2022

TIME: Commenced: 6:00 p.m.  
Concluded: 7:20 p.m.

PLACE: Robert L. Anderson  
Administrative Center  
Commission Chamber,  
4000 South Tamiami Trail  
Venice, Florida

REPORTED BY: DEBRA R. KRICK  
Court Reporter

PREMIER REPORTING  
112 W. 5TH AVENUE  
TALLAHASSEE, FLORIDA  
(850) 894-0828

1 APPEARANCES:

2 MARTIN S. FRIEDMAN, ESQUIRE, Dean Mead &  
3 Dunbar, 5300 S. Atlantic Avenue, Apt. 12605, New Smyrna  
4 Beach, Florida 32169; JOHN L. WHARTON and JORDANE WONG,  
5 ESQUIRES, Dean Mead Law Firm, 106 E. College Avenue,  
6 Suite 1200, Tallahassee, Florida 32301, appearing on  
7 behalf of Environmental Utilities, LLC (EU).

8 RICHARD GENTRY, PUBLIC COUNSEL; ANASTACIA  
9 PIRRELLO, ESQUIRE, OFFICE OF PUBLIC COUNSEL, c/o The  
10 Florida Legislature, 111 West Madison Street, Room 812,  
11 Tallahassee, Florida 32399-1400, appearing on behalf of  
12 the Citizens of the State of Florida (OPC).

13 BRAD E. KELSKY, ESQUIRE, Kelsky Law Firm, 150  
14 S. Pine Island Road, Suite 300, Plantation, Florida  
15 33324, appearing on behalf of Palm Island Estates  
16 Association, Inc. (PIE).

17 LINDA COTHERMAN, Post Office Box 881, Placida,  
18 Florida 33946, Pro Se.

19 JENNIFER CRAWFORD and RYAN SANDY, ESQUIRES,  
20 FPSC General Counsel's Office, 2540 Shumard Oak  
21 Boulevard, Tallahassee, Florida 32399-0850, appearing on  
22 behalf of the Florida Public Service Commission (Staff).

23

24

25

1 APPEARANCES (CONTINUED):

2 KEITH HETRICK, GENERAL COUNSEL; MARY ANNE  
3 HELTON, DEPUTY GENERAL COUNSEL, Florida Public Service  
4 Commission, 2540 Shumard Oak Boulevard, Tallahassee,  
5 Florida 32399-0850, Advisor to the Florida Public  
6 Service Commission.

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I N D E X

WITNESSES

NAME :	PAGE
CANDYCE COHEN	15
DAVID STUBBS	19
KARYN FLATAU	21
CRAIG BARESEL	24
WILLIAM LEE ROBERTS	27
BRIAN GOODHEAD	32
THOMAS REINKE	37
JOSEPH KROSLAK	41
ROY PETTEWAY	43
NICHOLAS ZAKOV	45
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LINDA MIKLOS	59
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EXHIBITS

NUMBER:		ID	ADMITTED
48	Affidavit of Publication of Hearing Notice	8	9
49	Affidavit of Mailing Hearing Notice	8	9

## 1 P R O C E E D I N G S

2 COMMISSIONER CLARK: Good evening. I would  
3 like to welcome everyone to this customer hearing  
4 this evening regarding Environmental Utilities'  
5 application for a certificate to provide wastewater  
6 service in Charlotte County.

7 This service hearing is a very important part  
8 of the application process. And hearing from you,  
9 the customers, tonight is a very important part of  
10 what we consider in the evidence of this case.

11 My name is Gary Clark. I am going to be the  
12 Presiding Officer for this evening. Joining me are  
13 Commissioner La Rosa and Commissioner Passidomo  
14 this evening. We are very interested in hearing  
15 your comments regarding this proposed service.

16 I am going to go through a little bit of an  
17 overview in a couple of minutes of how we are going  
18 to conduct the proceedings tonight. But before we  
19 do, we will knock out a few preliminaries.

20 I am going to ask staff, if they would, to  
21 please read the notice.

22 MR. SANDY: Pursuant to notice, this time and  
23 place has been set for a service hearing in Docket  
24 No. 20200226, regarding the application for  
25 original certification and rates to provide

1 wastewater service in Charlotte County by  
2 Environmental Utilities, LLC. The purpose of this  
3 hearing is set out more fully in the notice.

4 COMMISSIONER CLARK: All right. Thank you,  
5 Mr. Sandy.

6 Let's take appearances at this time.  
7 Environmental.

8 MR. FRIEDMAN: Martin Friedman on behalf of  
9 Environmental Utilities.

10 COMMISSIONER CLARK: OPC.

11 MS. PIRRELLO: Anastacia Pirrello for the  
12 Office of Public Counsel.

13 COMMISSIONER CLARK: Palm Island.

14 MR. KELSKY: Brad Kelsky on behalf of Palm  
15 Island.

16 COMMISSIONER CLARK: Ms. Cotherman.

17 MS. COTHERMAN: Linda Cotherman, Pro Se.

18 COMMISSIONER CLARK: Staff.

19 MR. SANDY: This is Ryan Sandy, and with me  
20 this evening is Ms. Jennifer Crawford.

21 MS. HELTON: And Mary Anne Helton is here as  
22 your Advisor.

23 COMMISSIONER CLARK: All right. Did we get  
24 everyone?

25 All right. Staff, is there a preliminary

1 matter?

2 MS. CRAWFORD: Yes, sir, we have one  
3 housekeeping matter.

4 Mr. Friedman has distributed to the parties  
5 the notices, the affidavit of publication of the  
6 hearing notice and the affidavit of mailing the  
7 hearing notice. And if we could go ahead and have  
8 those, if Mr. Friedman doesn't mind me just taking  
9 it and running with it, go ahead and have those  
10 given identification numbers.

11 COMMISSIONER CLARK: All right. What was our  
12 next number?

13 MS. CRAWFORD: 48.

14 COMMISSIONER CLARK: Say again.

15 MS. CRAWFORD: 48, and we can make that first  
16 one the Affidavit of Publication, 48.

17 (Whereupon, Exhibit No. 48 was marked for  
18 identification.)

19 COMMISSIONER CLARK: And the next one is  
20 Affidavit of Mail Hearing Notice, 49.

21 MS. CRAWFORD: Yes, sir.

22 (Whereupon, Exhibit No. 49 was marked for  
23 identification.)

24 COMMISSIONER CLARK: All right. Any of  
25 objections? Seeing none, those are entered into



1 the record.

2 (Whereupon, Exhibit Nos. 48-49 were received  
3 into evidence.)

4 COMMISSIONER CLARK: Any other preliminary  
5 matters?

6 MS. CRAWFORD: No, sir.

7 COMMISSIONER CLARK: All right. Let me say  
8 again thank you to each one of you for taking time  
9 out of your schedules to be at this customer  
10 service hearing this evening. We certainly  
11 appreciate your interest, and we are very  
12 interested in hearing directly from you, the  
13 customers.

14 I know that some of you are preregistered to  
15 speak. Some of you registered by phone, some of  
16 you by mail in advance of today's hearing. You may  
17 have also noticed that there is a speaker sign-up  
18 form that's been provided by our staff when you  
19 arrived.

20 If you preregistered by phone, you don't have  
21 to sign up again. If you plan to speak today but  
22 you have not preregistered by phone or email,  
23 please be sure that you have signed up with our  
24 staff.

25 This is an official public hearing and will be

1 transcribed. All the comments you make will be  
2 transcribed and will become part of the official  
3 record. As such, I will swear each of you in  
4 before you begin your testimony this evening.

5 I would also like to advise you that before  
6 you begin your testimony, that once you testify,  
7 you are subject to cross-examination by the  
8 parties. That is going to be at their discretion.  
9 You may be asked questions regarding your testimony  
10 by the parties this evening.

11 We appreciate the professional nature of these  
12 proceedings and ask that you do the same. Please  
13 be courteous to all parties and customers who are  
14 here today.

15 We understand that there is time of the  
16 essence this evening for those that are utilizing  
17 the ferry. So during the course of this service  
18 hearing, if another customer has said something  
19 that you were going to say, feel free to just say  
20 ditto, or that you support the remarks made by the  
21 previous speaker. There is no need to pile in a  
22 lot of redundant testimony on the same thing. If  
23 your comments are unique or specific to a certain  
24 area, that -- certainly we want to hear everyone  
25 that's here tonight, but we also want to be mindful

1 of your time as well.

2 In addition to sharing your comments here, you  
3 may also share your comments with us via mail or  
4 email. To contact the PSC by mail, you can use one  
5 of our pre-addressed comment cards that is on our  
6 website, or you may email it to our commission  
7 clerk as well. All of that information is found on  
8 our website as well.

9 Before we begin with opening statements by the  
10 parties, I wanted to ask the Commissioners with me  
11 today if they had any comments they would like to  
12 make before we started.

13 Commissioner pass.

14 COMMISSIONER PASSIDOMO: Thank you, Mr. Chair.

15 I just want to make a quick comment, really  
16 wanted to thank all the customers that came out  
17 tonight, but I also want to just acknowledge, I  
18 mean, we have received hundreds of comments from  
19 customers that were unable to make it. And so for  
20 those customers that got -- that wrote in, or are  
21 listening in now, we take all of those comments the  
22 same amount of weight, and so appreciate  
23 participation in any way that you can.

24 So that's all I want to say.

25 COMMISSIONER CLARK: Great. Thank you.

1 Commissioner La Rosa.

2 COMMISSIONER LA ROSA: Thank you, Chairman.

3 And very similar comments is to thank  
4 everyone, certainly, for coming, and those that are  
5 going to be watching this, or watching a little  
6 later today and, of course, participating tomorrow  
7 morning, thank you guys for doing so.

8 Maybe, Chairman, maybe you just want to give  
9 instructions on where to go. Are they speaking  
10 from the podium over there?

11 COMMISSIONER CLARK: Yes. All of our folks  
12 that are going to be speaking tonight will be  
13 addressing us from this podium. I also will -- we  
14 have three-minute time limit on each speaker. We  
15 have a small number that have signed up to speak  
16 tonight. If your comments are of substance, I am  
17 not going to really, really enforce that. You  
18 know, once you get to four to five minutes, I may  
19 start waiving at you, beeping or blowing a horn or  
20 something, but try to keep your comments in the  
21 three-minute timeframe, and we will get through  
22 everything accordingly.

23 With that said, we are going to begin with  
24 opening statements. And each of the parties is  
25 allowed three minutes to address the customers

1 prior to beginning tonight's comments. And we will  
2 begin with EUC.

3 MR. FRIEDMAN: I waive opening comments.

4 COMMISSIONER CLARK: All right. Thank you  
5 very much.

6 OPC.

7 MS. PIRRELLO: Thank you, Mr. Commissioner.

8 Good evening. My name is Anastacia Pirrello,  
9 and I represent the Office of Public Counsel. We  
10 are a State office independent of the Public  
11 Service Commission, which is tasked with  
12 representing the public interest on behalf of all  
13 the customers of utilities in these types of cases.

14 Our goal is to ensure that in the process of  
15 the Public Service Commission considering whether  
16 to grant the certificate to Environmental  
17 Utilities, any rates and charges to be imposed are  
18 accurately reflected by the company, and include  
19 only those costs that are shown to be necessary and  
20 prudent for this type of wastewater collection  
21 system.

22 We are here today to hear your thoughts and  
23 concerns about Environmental Utilities' proposal to  
24 install sewer lines, and the costs associated with  
25 that proposal. If you have questions following

1           these hearings, you may contact our office toll  
2           free at 1-800-342-0222. And if you would, please  
3           let us know if you intended to watch the hearing  
4           this morning via the live stream and were unable to  
5           do so.

6           Thank you.

7           COMMISSIONER CLARK: Thank you, Ms. Pirrello.  
8           Palm Island.

9           MR. KELSKY: No comments.

10          COMMISSIONER CLARK: Ms. Cotherman.

11          MS. COTHERMAN: No comment.

12          COMMISSIONER CLARK: All right. Ms. Pirrello  
13          is going to call your name when it is your turn to  
14          speak, and she's going to do so in the order that  
15          you signed up. She's going to call three names at  
16          a time so that you will have -- kind of know who is  
17          going to be next in line.

18          You have got the list, Ms. Pirrello, and ready  
19          to go? Okay.

20          I am going to swear all of you in right now.  
21          So if you are here signed up and plan to give  
22          testimony tonight, if you would, please stand and  
23          raise your right hand.

24          (Whereupon, speakers were sworn in by  
25          Commissioner Clark.)

1           COMMISSIONER CLARK: Consider yourself sworn  
2           in. You may be seated.

3           When you come to the microphone, please state  
4           your name and address. Remember your verbal  
5           comments are being transcribed as part of the  
6           official record.

7           Ms. Pirrello, will you begin by calling the  
8           names on your list?

9           MS. PIRRELLO: The first three customers to  
10          testify will be Candyce Cohen, James Bagley and  
11          Hannah Stubbs.

12                                   PUBLIC COMMENT

13          MS. COHEN: It's always fun being first.

14          Hello, Commissioners. Thank you for the  
15          opportunity to speak. I am full-time Don Pedro  
16          Island resident Candyce Cohen.

17          The EU proposal falls far short, in my view,  
18          of the PSC's focus to ensure our services are  
19          delivered in a safe, reasonable and reliable  
20          manner. I am requesting their application be  
21          denied.

22          I will focus my remarks on one fact. Sewage  
23          happens, and it all flows downhill into our very  
24          special Lemon Bay. Charlotte County has a third of  
25          the population density of the counties to our north

1 and south. Our islands do not support highrise,  
2 multi-family nor commercial developments. Our  
3 delicate environment is at much greater risk of  
4 pollution from centralized sewage spills, like the  
5 \$50,000 -- or 50,000 gallons spilled three weeks  
6 ago just off island than any low density tank  
7 issues.

8 This was not a single nor uncommon event. A  
9 few days later, there was 100,000-gallon spill in  
10 the county, and last March, a million-gallon spill.  
11 DEP pollution notices show more than 120 spills in  
12 Charlotte County alone, totaling nearly 6.6 million  
13 gallons since 2019.

14 The counties north and south acknowledge  
15 sewage spills happen, and have focused on  
16 protecting sensitive estuaries by implementing  
17 advanced wastewater treatment to reduce excess  
18 nitrogen and nutrients in reclaimed water.

19 Charlotte County Utilities should prioritize  
20 upgrading to these AWT standards removing the red  
21 tide fueling nutrient from wastewater before  
22 dismantling low density tanks.

23 Another fact of life is power outages happen.  
24 Often unpredictably during hurricane season, but  
25 even one 19-hour outage across much of the island



1           just weeks ago. The low pressure solution proposed  
2           by EU invites disaster on an island without power.

3           I don't believe EU have adequate resources to  
4           pump non-powered tanks, and I don't find it  
5           environmentally sound on our island to follow one  
6           county's advice to, and I quote, pump the top on  
7           the cleanout and let the sewage flow into the yard  
8           so it doesn't back up into your house.

9           More thought is needed in providing safe,  
10          reliable and an environmentally sound solution.  
11          Central sewer provided not by a qualified municipal  
12          utility, but rather an inexperienced private  
13          for-profit entity is not reasonable,  
14          environmentally or economically. The nature of a  
15          limited liability corporation providing this  
16          service provides no recourse to the public or the  
17          county for any costly mistakes, and does not meet  
18          basic criteria for clean water grants or other  
19          financing alternatives. EU offers neither a safe,  
20          reasonable nor reliable solution for our community.

21          Thank you for your attention.

22          COMMISSIONER CLARK: Thank you very much.

23          Questions from the parties?

24          Mr. Friedman.

25          MR. FRIEDMAN: Ms. Cohen, so by those last

1           comments, if the central sewer system was run by  
2           the County, you would find it more acceptable?

3           MS. COHEN: More acceptable, yes.

4           MR. FRIEDMAN: Thank you. That's all I have.

5           COMMISSIONER CLARK: Any of the other parties?

6           Ms. -- okay.

7           Call your next witness.

8           MS. PIRRELLO: Next is James Bagley, and then  
9           Hannah Stubbs and David Stubbs.

10          COMMISSIONER CLARK: Would you call it again?

11          MS. PIRRELLO: Is James Bagley present?

12          COMMISSIONER CLARK: Mr. Bagley. James  
13          Bagley.

14          Okay. Next witness.

15          MS. PIRRELLO: Hannah Stubbs.

16          UNIDENTIFIED SPEAKER: Hannah Stubbs is not  
17          present.

18          COMMISSIONER CLARK: Ms. Stubbs is not  
19          present.

20          UNIDENTIFIED SPEAKER: Hannah Stubbs is not  
21          present.

22          COMMISSIONER CLARK: Okay. Next is?

23          MS. PIRRELLO: David Stubbs.

24          COMMISSIONER CLARK: David Stubbs, okay, Mr.  
25          Stubbs.

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PUBLIC COMMENT

MR. STUBBS: Good evening. Thank you for the opportunity. It's nice to go second after a well thought out plan, you would notice I don't have notes here, but there is one thing, and again, David Stubbs, 352 South Gulf, I have only been on the island for a year, but a fan of a septic system for quite a long time. Not only does it work well, it doesn't rely on an infrastructure that may be struggling, and the notes that was said, if you easily Google Charlotte County raw sewage, you get a host of information, and one of those was a million gallons.

And I kind of -- I don't want to talk about football, but since it's Super Bowl week, I might do so.

If you were lucky enough to get 50-yard line seats and you were sitting there, maybe row 20, and looking out across the field starting at the 10-yard line on either side right and left, if those were tanks, 10,000 gallon tanks, completely full of raw sewage, that would be a million gallons in the entire field. And if that is released, that's quite a lot of raw sewage being dumped on an elevation of three to four feet above high water

1 level.

2 I am not here to debate the fact that  
3 Charlotte County does have an infrastructure  
4 problem. It's quite obvious that that has been  
5 publicized. Being a public official for quite a  
6 while, I do realize that one-third of everything  
7 you read is correct, so I can't rely on that  
8 because I wasn't standing in the field when the one  
9 million was spilled, but I do remember the one near  
10 us near the Post Office that was, and it did quite  
11 disruption.

12 I do concur with the comments about all the  
13 statements from the first speaker, so I don't need  
14 to go into that. But I do believe that as a public  
15 servant that I really value the fact that you are  
16 going to take this to heart, and there was no  
17 meetings prior to that says, you know what, there  
18 is a bigger entity and a bigger involvement,  
19 something going on causing us to have strain  
20 because, as a public official, it was my duty to do  
21 the best for the community and to make sure that  
22 their voice is heard. And it was my opportunity to  
23 do due diligence with the funding that I had  
24 available to me.

25 Not unlike me, as a resident, we are not all

1 millionaires. This is my life dream to get to this  
2 island, and I made it. And a lot of these people  
3 that are probably in the crowd that will speak next  
4 to me are on fixed income. And a lot of these  
5 systems are requiring a lot of pain and effort and  
6 maintenance, and I know a lot of people in my  
7 neighborhood have a hard time getting the VCR to  
8 work.

9 I thank you for your time. I value your  
10 strength in making the right decisions. Thank you.

11 COMMISSIONER CLARK: Thank you very much, sir.

12 Any questions from any of the parties?

13 All right. Seeing none, next witness.

14 MS. PIRRELLO: Next up is Karyn Flatau, and  
15 followed by Craig Baresel and William Lee Roberts.

16 PUBLIC COMMENT

17 MS. FLATAU: Good evening Commissioners. My  
18 name is Karyn Flatau, and I live at 9148 Grand  
19 Avenue on Little Gasparilla Island.

20 The other speakers, I am ditto with him.  
21 We've given up everything to live out on the  
22 islands, but they are on the northern end, we are  
23 on the southern end. Little Gasparilla Island is  
24 almost a different world compared to up there.

25 But my main concern, I am in support of the

1           septic. We built our home, we have been on the  
2           island since '87, decided to retire there and build  
3           a home. And we had to put in a ATU, the aerator  
4           system. And since then -- okay, we have lived  
5           there 12 years. According to -- well, I will  
6           start. Okay, we've had it pumped out four times.  
7           We have to pay \$820 every two years to have it  
8           inspected. The County has only been out three  
9           times to inspect our system. We pay the County for  
10          the permit, and they are supposed to come out every  
11          six months. They do not.

12                 We have been under water for about four times  
13          now from storms, like, two weeks at a time, under  
14          water, deep water. My septic system then backs up  
15          and drains out into our yard. So you have this  
16          muck. And a lot of the island has the same  
17          problem.

18                 When we signed our original permit, they told  
19          us that if we had the opportunity to connect to  
20          septic, we would be connecting to it just like we  
21          anticipated hooking up to water, and we did well  
22          with the water.

23                 Let's see. Right now my septic needs to be  
24          pumped out. Little Gasparilla Island, we have a  
25          different barge system than the northern end. So

1           when we have them come up -- come to pump us out,  
2           it's, like, \$2,000 to have our tanks pumped out.  
3           So we've had it pumped out four times, and right  
4           now it needs to be pumped out again. My compressor  
5           went out on it. I mean, the problems that I have  
6           had with that.

7                     Now, they passed a bill, House Bill 375, that  
8           says if -- and I have to have a service contractor.  
9           You guys probably know this -- by law. If my  
10          service contractor decides that he doesn't want to  
11          come out to the island anymore, what do I need to  
12          do? I have to get one of those maintenance entity  
13          service permits where I go and get trained to take  
14          care of my septic myself. I am in my 60s, my  
15          husband is in his 60s. That's the last thing we  
16          want to do. So that's a different entity. Four  
17          houses are being built around me, all have to put  
18          in the ATUs.

19                    So I am really in support of the septic. We  
20          have a lot of rental homes, a lot more people. The  
21          island is growing, and we really have a need for  
22          septic. And I thank you for the opportunity to  
23          speak.

24                    COMMISSIONER CLARK: Thank you very much.

25                    Let me ask one -- before you step down, let me

1 ask one clarifying question. You said you were in  
2 favor of the septic, do you mean the center  
3 agricultural or --

4 MS. FLATAU: The wastewater.

5 COMMISSIONER CLARK: I just wanted to clarify  
6 that.

7 MS. FLATAU: Yeah, we need to connect up. I  
8 mean, it's -- yeah.

9 COMMISSIONER CLARK: Okay. I just wanted to  
10 clarify that. Thank you.

11 MS. FLATAU: Thank you.

12 COMMISSIONER CLARK: Questions?  
13 Commissioners?

14 All right. Next witness.

15 MS. PIRRELLO: After Mr. Baresel will be  
16 William Lee Roberts and Brian Goodhead.

17 COMMISSIONER CLARK: You are recognized, Mr.  
18 Baresel.

19 PUBLIC COMMENT

20 MR. BARESEL: Craig Baresel. I live at 50  
21 Tarpon Way. I am on the northern part of the  
22 island, and I am a director of the homeowners'  
23 association.

24 And in January of 2021, when we first heard  
25 that this was going to be proposed, at our January



1 meeting, we had about 50 people, and I have been  
2 told 48, 49 and a couple proxies, okay. But 50  
3 people show up approximately, and we voted at that  
4 meeting what to do as far as hiring attorneys, and  
5 things like that. Three people were opposed to  
6 fighting it. Everybody else that showed up at the  
7 meeting, and that's a large crowd on our barrier  
8 island on the northern part.

9 Another comment that kind of goes along with  
10 that, I am an old believer in money talks. And as  
11 an example, our homeowners dues, I think you heard  
12 earlier today, was low, but you didn't hear the  
13 number. It's 50 bucks a year. A year for our HOH  
14 PIE. Yet -- so it's not expensive if you want to  
15 join. The donations to fight this since PIE sent  
16 out a letter and said, can you please donate to  
17 fight, and I say fight, but hire and pay for  
18 attorneys, has raised over \$70,000. And again, out  
19 of a very small group of people.

20 Finally, my last comment is the professor that  
21 talked earlier today, I thought he was extremely  
22 interesting and made some excellent points why the  
23 barrier island is different than other areas around  
24 Charlotte Harbor, and things like that.

25 And one of the examples he gave -- and, Mr.

1 Clark, you, I believe, asked a question about the  
2 dynamics of the island, because there is four or  
3 five names, was it all connected. And the answer  
4 was, well, you can walk along the beach from one  
5 end to the other.

6 But a number of years ago, and I don't know  
7 the exact timeframe, one of the older residents  
8 here may, but I have been there five years. I am a  
9 full-time resident. But at one point in time,  
10 there was a water divide on that island. It has  
11 since, the beach has come up to it, and it might  
12 be, I don't know, 40, 50 yards of beach, but other  
13 than that, there is a canal then that goes all the  
14 way over to the intercoastal waterway.

15 So if that would happen again, the professor  
16 made the points about exposed sewer pipes causing  
17 much more damage. And I just thought that was an  
18 excellent comment.

19 So I am against this particular proposal. And  
20 I appreciate your listening. And I would -- I  
21 just, if I could, a full-time -- I say full-time.  
22 Residents on the island, if I could have them if  
23 they are against it to raise their hand, because a  
24 number of them aren't signing up to speak.

25 COMMISSIONER CLARK: Sure.

1 MR. BARESEL: You also, I know, got the  
2 letters, and there is hundreds of them, and 80, 90  
3 percent were against, if I do the rough math.

4 Thank you very much.

5 COMMISSIONER CLARK: Thank you, sir. One  
6 moment before you sit down.

7 Any questions?

8 I am going to ask that in general, guys, I am  
9 not going to call the list, if the Commissioners or  
10 any of the parties, when I ask for questions, just  
11 yell at me and let me know.

12 Thank you, sir.

13 Next person.

14 MS. PIRRELLO: After Mr. Roberts will be Brian  
15 Goodhead, Tom Reinke and Joseph Krosiak.

16 COMMISSIONER CLARK: Mr. Roberts, you are  
17 recognized.

18 PUBLIC COMMENT

19 MR. ROBERTS: Thank you very much. And thank  
20 you for the opportunity to speak.

21 My name is Lee Roberts. I own a home at 8302  
22 Little Gasparilla Island. I rise to speak this  
23 evening in opposition to Environmental Utilities,  
24 Inc.'s, request for providing sewer services on the  
25 island. There are multiple issues that I wish to

1 express with regard to this proposal.

2 First, you have asked is there a need for the  
3 service. My answer would be no. My property, we  
4 have owned our property since 1985, and have a  
5 working septic tank that is professionally drained  
6 every five to seven years, and we have had no  
7 difficulties. We also do not rent our home. It is  
8 a family home, which probably adds to us not having  
9 problems.

10 Thus, much like the question asked a number of  
11 years ago, is there a need for water service. That  
12 standard answer is still no. Some of you may not  
13 be aware of the debacle I speak of, but Mr. Mr.  
14 Boyer and Gasparilla Water, with the assistance of  
15 County Commissioner Treux, changed local planning  
16 documents restricting build-up on barrier islands  
17 to greenlight Mr. Boyer to taking on all water  
18 service on the island.

19 Now Commissioner Treux and the County  
20 Commissioners have taken a hands-off approach with  
21 regards to sewage, washing their hands of the whole  
22 affair and pitching it back to the Public Service  
23 Commission.

24 To the question does this utility have the  
25 ability and experience to provide the service? Not

1           that I know of in Mr. Boyer's past history. He,  
2           nonetheless, has no experience with development or  
3           installation of a massive sewer system such as  
4           this.

5           I would hope this committee carefully filters  
6           out some of the subterfuge arguments that hold no  
7           merit in this argument that are out there right now  
8           and flying on-line. One of those major ones looked  
9           at a university study in Florida, on the east coast  
10          of Florida, particularly in the Indian River Basin.  
11          One of Mr. Boyer's ardent supporters who lives, by  
12          the way, in the condos on the south end, is not  
13          even affected by this, is out there ardently  
14          arguing we need a sewer system on the island.

15          I am sorry, but to that point, that particular  
16          study in the Indian River Basin was accounted for  
17          by 1.5 million people in that basin, and in  
18          Charlotte Harbor, it's approximately 3,100 people,  
19          and this is per the 2010 census in looking at that.

20          So as we look at Mr. Boyer's recommendations,  
21          particularly in the application for the original  
22          certificate of authorization for proposed existing  
23          system on page 31, there is luring issues for me  
24          about the practice for Mr. Boyer.

25          There are two lines proposed, one in front of

1 my house, which is a legal easement, and one behind  
2 my house, which is private property with no  
3 easement.

4 I don't believe that Environmental Utilities  
5 will be given the ability to claim, quote, eminent  
6 domain as they place lines where they want. For  
7 example, the owner of that property already sued a  
8 homeowner on my street for merely trimming her tree  
9 overhanging his house. She went to court and won a  
10 new tree, and I believe a \$6,000 fine paid to her.  
11 Suffice it to say, you may probably not go through  
12 her property.

13 This issue points out the most glaring issue  
14 with Mr. Boyer. I document separately watching him  
15 do things that I feel are inappropriate. He has --  
16 this plan does not have criteria in place to make  
17 this system work, much less being legal, in quote,  
18 taking land as needed in the installation process.

19 And finally let us address the issue of  
20 fairness and proposed changes. Several years ago I  
21 argued against the PSC's decision to give  
22 Gasparilla Water, particularly this, the highest  
23 rate of the State of Florida. The highest at the  
24 time was Useppa Island 35.24 for a base rate,  
25 Gasparilla Water is 79.75 for a base rate.

1           Last week we received a letter from Gasparilla  
2           Water that they were required by the PSC to give  
3           back, four years later, part of the increase, 16  
4           cents. That's a slap in the face. That's a  
5           disastrous decision that's the responsibility of  
6           the Public Service Commission.

7           Now we on the island are preparing for the  
8           advent of Mr. Boyer's proposal. I would first and  
9           foremost like to ask just outright reject his  
10          proposal. The fees he is proposing are outrageous.  
11          His homeowners' association hookup fees will be  
12          between 13,000 and 30,000, with the expectation  
13          it's to be paid up front by the homeowner. This is  
14          an astronomical figure, but this ridiculous startup  
15          cost is only more exorbitant when you look at the  
16          long-term cost.

17          I have reviewed all utility rates in the state  
18          of Florida on the Public Service Commission's  
19          website. The proposed base rate for EU sewer is  
20          \$112.78 a month. And, again, that's if the system  
21          is unused. The closest comparable rate in the  
22          entire state is Pine Ridge Management, which is  
23          42.89. The average monthly bill for a homeowner  
24          with water and sewer will be \$192.37 if this  
25          proposal is approved.

1 COMMISSIONER CLARK: If you would, wrap your  
2 comments up, please, sir.

3 MR. ROBERTS: I will wrap up. Thank you.

4 How can this be fair and equitable? It simply  
5 cannot. For me, comes back to a lack of oversight.  
6 I worked in construction for a number of years with  
7 my dad. There is no way we have a bond overseeing  
8 this. Any mistakes that's made, he walks away from  
9 this problem, we have no background -- we have no  
10 backdrop to pick up on what is going on.

11 Thank you for your time.

12 COMMISSIONER CLARK: Thank you.

13 Questions?

14 All right. No questions, call you recall next  
15 speaker, please.

16 MS. PIRRELLO: After Mr. Goodhead will be Tom  
17 Reinke, Joseph Kroslak and Roy Petteway.

18 COMMISSIONER CLARK: Mr. Goodhead, you are  
19 recognized.

20 PUBLIC COMMENT

21 MR. GOODHEAD: Thank you.

22 First of all, I just wanted to say thank you  
23 for letting me speak today, and thank you all for  
24 your public service, and God bless you all for  
25 having to put up with all of this stuff.



1           COMMISSIONER CLARK: Thank you.

2           MR. GOODHEAD: So I have a list I want to go  
3 through to kind of reiterate what the attorneys  
4 and -- I was in some of the hearing today and I  
5 just want to kind of touch on some of those points  
6 again, so I want to kind of go in order of  
7 importance.

8           So the first thing we are going to talk about  
9 is the need, right, and I didn't hear anybody talk  
10 about what the need is. So the applicant is saying  
11 that him and his family grew up on this island, and  
12 the reason they are doing this to is to protect the  
13 environment, right? So what is the problem here?  
14 So there must be a problem, that's why he is making  
15 this proposal.

16           So what we heard in testimony today he has not  
17 collected one single water sample around this area.  
18 He has piggybacked on some of the stuff the County  
19 has done already, but those were test results that  
20 came out of Charlotte Harbor. How many miles away  
21 is that from Don Pedro?

22           So again, where is the need, right?  
23 Specifically a need has to have a problem to be  
24 solved, and so where is the problem here? There is  
25 none. The rest of this talk about financing, et

1           cetera, is all irrelevant if we don't have a need.  
2           So why else is this -- what is the impetus for the  
3           creation of this project?

4                     And I mean, you guys can come to your own  
5           conclusions about money and other things, if we are  
6           really not talking about protecting water quality,  
7           because we have no evidence that that was ever  
8           done. So that's our main thing on the need.  
9           Again, we could come to speculation about why this  
10          project is being proposed.

11                    The second thing I want to talk about too is a  
12          big concern on my mind too, and we haven't talked  
13          about this at all. This is about the criminal  
14          background for the applicant. And, you know, how  
15          that, I guess, got through --

16                    MR. FRIEDMAN: I object to this line of  
17          questions.

18                    MR. GOODHEAD: It's been stated as record.

19                    COMMISSIONER CLARK: Let's stay away from the  
20          character of the individuals involved, if you don't  
21          mind. Talk about the subject and your experience  
22          and what you know.

23                    MR. GOODHEAD: Well, I think it has a bearing  
24          on what we are talking about here, right, the  
25          history. Anyways --

1           MR. FRIEDMAN: He is going to talk about an  
2 incident that happened 25 years ago.

3           MR. GOODHEAD: Do I not talk about that?

4           COMMISSIONER CLARK: No. Let's move on.

5           MR. GOODHEAD: Okay. So given that we really  
6 don't have a reason, and we can just surmise why we  
7 are really here and what we are talking about,  
8 right, to me, this is just somebody piggybacked on  
9 some of the work the County has done already and  
10 put fluff around it, and said, okay, let's go with  
11 this. Again, we have no numbers, no costs, right?  
12 And the water samples, those are basically useless  
13 because they don't come from around Don Pedro  
14 Island or Little Gasparilla Island.

15           So it would come down to the technical  
16 estimate fees, we don't have any of that either.  
17 So, I mean, if I answered in testimony today what  
18 are the numbers? What is this? What is that? I  
19 don't know. I am not sure. This is the guy who is  
20 supposed to be in charge, and we are going to give  
21 him a project like this, and a system to own,  
22 operate and manage, and we have no answers.

23           Sure, if I had a buddy at a bank, and he said,  
24 oh, no problem, I will give you the money. But if  
25 I went into the bank and didn't know anybody and

1           said, I don't know, I don't know, to all those  
2           questions, they would laugh me out of the front  
3           doors, right? They are not going to give me any  
4           money.

5           So, again, how do we justify any substantial,  
6           you know, merit to this whole project? That's what  
7           I would like to know. So we are all waiting  
8           closely and listening to you guys. So hopefully,  
9           you know, you are constituents, we do thank you for  
10          your service, but there is going to be a lot of  
11          weight put on these decisions here, again, for us  
12          making our own decisions when it becomes voting  
13          time about, you know, about this is going to give  
14          testimony to the character and/or the motives of  
15          the decision-makers in this account here, so --

16                COMMISSIONER CLARK: All right. Thank you --

17                MR. GOODHEAD: Thank you very much.

18                COMMISSIONER CLARK: Thank you.

19                Any questions?

20                All right. Call your next witness.

21                (Appause from the audience.)

22                MS. PIRRELLO: After Mr. Reinke will be Joseph  
23          Kroslak, Roy Petteway and Nick Zakov.

24                               PUBLIC COMMENT

25                MR. REINKE: Good evening, Commissioners.

1           COMMISSIONER CLARK: Mr. Reinke, you are  
2 recognized.

3           MR. REINKE: My name is Thomas Reinke, and I  
4 am a resident of Don Pedro. And I have to say what  
5 I have observed today from this morning's meeting  
6 leaves me in total almost denial that this is even  
7 taking place, because as I understand it, what the  
8 PSC's objective is is to obtain evidence supporting  
9 four criteria that must be met, any one of which in  
10 its failure to thrive would end the whole process.

11           And from this morning's review of the  
12 testimony, the number one primary feature was the  
13 need for the service. And if you will recall from  
14 this morning, any number of times the evidence was  
15 totally lacking. So on the basis of that alone  
16 there is no reason to go forward. The whole thing  
17 should be knocked out.

18           Beyond that, if you have to find some way to  
19 make that worthy, well, then how about the  
20 financial capability of the applicant? What --  
21 what -- that, to me, was totally lacking as well.  
22 It was very nebulous as to how that kind of funding  
23 was going to be achieved.

24           And then there is the technical expertise for  
25 running a system like this. From what I personally

1 know as having been a resident of Don Pedro for 20  
2 years, in talking with people from Little  
3 Gasparilla about their water system, which was run  
4 by Mr. Boyer, it was almost universal  
5 dissatisfaction. So how can we expect any change  
6 in his ability to provide for us when he can't even  
7 provide for a water system properly?

8 And then the last thing is the fair and  
9 equitable rate structure that he proposes. My wife  
10 and I have properties in Alabama on a coastal  
11 barrier island called Dauphin Island. We have a  
12 sewer system. It works very, very well. The rates  
13 are really ideal. They put this proposal to shame.

14 And in addition, we have property in the UP of  
15 Michigan for another low pressure grinder system.  
16 The price for our systems up there are all, again,  
17 very acceptable. Really cheap. And they had to be  
18 -- they had to be bored with directional boring  
19 through rock, not sand. The easiest, most  
20 opportune place to dig is in and, of course.

21 We could get a proper system in sand at no  
22 digging up of pavement, just dig a hole, put in a  
23 sewer and go for it. We didn't hear any  
24 opportunity to do that kind of a system. I think  
25 it should have been provided.

1           I think that's about all I can offer, but it  
2           just seems to me that you can't get past the need  
3           for it. There is no need. There is no need for  
4           any of this.

5           COMMISSIONER CLARK: Thank you very much for  
6           your testimony.

7           Do we have questions?

8           MR. FRIEDMAN: I do.

9           COMMISSIONER CLARK: Mr. Friedman.

10          MR. FRIEDMAN: Sir, you said you own property  
11          in Dauphin Island off of Alabama?

12          MR. REINKE: Yes.

13          MR. FRIEDMAN: And you said it's on a central  
14          sewer?

15          MR. REINKE: What's that?

16          MR. FRIEDMAN: Did you say it was on a central  
17          sewer?

18          MR. REINKE: It is.

19          MR. FRIEDMAN: And it's owned by the  
20          government?

21          MR. REINKE: Well, it's the City.

22          MR. FRIEDMAN: Okay. And then you own one  
23          somewhere else as well, on an island somewhere  
24          else?

25          MR. REINKE: We have property up in the UP of

1 Michigan that has a sewer that was done through  
2 directional boring.

3 MR. FRIEDMAN: But it's on an island?

4 MR. REINKE: It's what?

5 UNIDENDIFIED SPEAKER: On a peninsula.

6 MR. FRIEDMAN: Okay. And it's central sewer  
7 as well?

8 MR. REINKE: Yes.

9 UNIDENDIFIED SPEAKER: Yes.

10 MR. FRIEDMAN: Okay.

11 MR. REINKE: And also we had familiarity with  
12 a system in Indiana on an inland lake, where they  
13 had to do a perimeter system, very much similar  
14 with this. And they had -- there, they had to dig  
15 up a paved road in partial, but they did it, and  
16 the cost, it was a grinder system. A huge tank was  
17 taken and buried in the front yard, and then a  
18 lateral out to the street, no problem.

19 MR. FRIEDMAN: Okay. So am I correct that you  
20 would not be opposed to this project if it were  
21 being done by the County and the rates were not so  
22 high?

23 MR. REINKE: No, I may not be. But I surely  
24 -- I -- they made it -- made it there -- the  
25 development in Indiana I was familiar with. The



1 development on Dauphin Island and in the UP I  
2 wasn't familiar with how it developed. But I, what  
3 I do know is that when the grinder pump locks up,  
4 for lack of -- I mean, there we have to have it  
5 heaters in there to keep it from freezing, but it's  
6 all taken care of.

7 COMMISSIONER CLARK: Any other questions?

8 All right. Thank you very much for your  
9 testimony this evening.

10 MR. REINKE: Thank you.

11 MS. PIRRELLO: After Mr. Kroslak, we have Roy  
12 Petteway, Nick Zakov and David Cohen.

13 COMMISSIONER CLARK: All right. Mr. Kroslak,  
14 you are recognized.

15 PUBLIC COMMENT

16 MR. KROSLAK: Yes. Good evening,  
17 Commissioners. My name is Joe Kroslak. I am here  
18 to represent my family.

19 We live on -- we have a house, small house on  
20 Little Gasparilla Island Rum Runner Road, 9424. We  
21 are new residents there. God blessed us to give us  
22 and build our dream. It was a dream for a while,  
23 and we were able recently to acquire a home.

24 There is a lot of uncertainty in this  
25 proposal, and I am here to announce our objection

1 of it. A lot of fears of the uncertain, you know,  
2 the cost of this project and all to the homeowners  
3 who are going to be forced to buy a product that we  
4 don't want or need at a price that we don't know,  
5 or can't even afford. And so that's our objection,  
6 our concerns.

7 There is other concerns regarding the  
8 maintenance of these systems, of the upkeep that we  
9 are going to be responsible for. Just a lot of  
10 concerns as new homeowners. And also our  
11 easements, we already have a front road easement.  
12 We have a water easement. We have an electrical  
13 easement. Now there is going to be another one.  
14 Our properties are being chopped up. They are  
15 small already as they are.

16 So these are our concerns, and I just bring  
17 this before you as the weight of this decision  
18 rests on your shoulders. I just ask for your  
19 compassion, your consideration of this matter, the  
20 understanding of it. And, please, don't bring this  
21 on us. I just ask for your mercy and compassion on  
22 it.

23 And thank you for the opportunity and your  
24 consideration, and God bless you.

25 COMMISSIONER CLARK: Thank you very much.

1 Anybody have any questions?

2 All right. Next.

3 MS. PIRRELLO: After Mr. Petteway is Nick  
4 Zakov, David Cohen and Jane Kebe.

5 COMMISSIONER CLARK: Mr. Petteway.

6 PUBLIC COMMENT

7 MR. PETTEWAY: Good evening. My name is Roy  
8 Petteway, and my wife and I have owned a home on  
9 Little Gasparilla Island since 1983. We are at  
10 9744 Little Gasparilla Island.

11 I am here tonight to ask you to deny the  
12 request to install sewer on Little Gasparilla  
13 Island by Environmental Utilities. Little  
14 Gasparilla Island is a very unique island. There  
15 may be few others like it in the state. We have no  
16 bridge to our island. There is only a barge  
17 service, and it runs when the owner decides to run  
18 it. We have no roads, only sand paths which do not  
19 run the length and the width of the island  
20 completely. Some paths run for a while, then go  
21 across private property with the owner's consent,  
22 and sometimes not. There are no cars on the  
23 island, except for a couple of vehicles contractors  
24 use. We are not a subdivision or a neighborhood on  
25 the mainland.

1           We have native plants that have been here for  
2           generations. There are gopher tortoise nests, bald  
3           eagles nesting, ospreys, bobcats and many other  
4           native Florida wildlife on the island who would be  
5           disturbed by the installation of sewer lines.

6           The type of sewer system proposed is a grinder  
7           tank system. This system is a low cost to install  
8           but high cost to maintain for the residents. The  
9           power on the island is sketchy at best. When the  
10          power goes off, which is frequent, it may stay off  
11          for an hour or 12 hours or more. You just never  
12          know.

13          To keep the raw sewage from filling in the  
14          tank and backing up into our homes, we will have to  
15          have a generator run the pump for the grinder tank  
16          to keep it going. I can only imagine the sound of  
17          400 generators running to keep sewage flowing on  
18          our island.

19          I don't know if any of you have ever been to  
20          our island, but I would invite you to take a tour  
21          of our island with me. You can see for yourself  
22          the barriers that are present to install a sewer  
23          system on a bridgeless barrier island. I would be  
24          glad to meet you and drive you around the island on  
25          my golf cart to let you see for yourself.

1 I respectfully request you deny the petition  
2 of Environmental Utilities, a company that I  
3 understand has no experience in wastewater service  
4 to install a sewer system on Little Gasparilla  
5 Island. Thank you.

6 COMMISSIONER CLARK: Thank you very much.

7 Any of questions?

8 No questions.

9 Next speaker.

10 MS. PIRRELLO: The next three following this  
11 speaker will be David Cohen, Jane Kebe and Andrea  
12 Illiano.

13 COMMISSIONER CLARK: Mr. Zakov.

14 PUBLIC COMMENT

15 DR. ZAKOV: My name is Dr. Nicholas Zakov. I  
16 am a retired eye surgeon, biology major and a  
17 rational environmentalist. I have had a  
18 relationship with Palm Island for 40 years. My  
19 neighbors right there have been with me 40 years  
20 and more.

21 Basically somebody else made the statement  
22 that this is a solution without a problem. That's  
23 my concluding statement. And I respectfully thank  
24 you for considering this very seriously and giving  
25 it all the thought that you can. I normally speak

1 at medical meetings, although I just retired and I  
2 am enjoying Palm Island.

3 The current system is working well. I was  
4 surprised somebody mentioned it is not working.  
5 The Department of Health inspects the system. We  
6 get permits, Martin Septic happens to be my private  
7 provider. A few months ago, they found that my  
8 aerator system wasn't working, and the tank was  
9 somewhat squished because it's a 12 -- 11-, 12-year  
10 old system. I just finished installing a new  
11 system. It cost me \$13,000 for the system, plus  
12 2,500 to 3,000, I lost track, bringing the --  
13 emptying it, of course, and bringing big equipment  
14 to dig it up and put it up, so this was the ferry  
15 fees.

16 So I am totally, totally not understanding,  
17 except this being a money making proposition, which  
18 it is, it is not -- it's not a County function or  
19 something else -- the hookup costs on top of this  
20 \$20,000, or whatever I just paid, and it works, but  
21 there is a lot of new homes that spend the same  
22 amount of money and now we are going to be asked to  
23 spend 10 to 20 or more thousand dollars to hook up  
24 to the new system. There is then the bill proposes  
25 exorbitant. Most people on our island are either

1 completely retired or snowbirds that don't have  
2 extra income. They are relying on their current  
3 income.

4 Additional electric equipment will be needed  
5 to maintain our systems. There will be need for  
6 some tree removals, easement. There is no pay over  
7 time plan, which I think is ridiculous, and a  
8 mandatory hookup. We are a little bit sick, I  
9 think, at this day and age with masks, mandatory  
10 masks and mandatory issues, and hopefully they  
11 should be also considered.

12 There is no grandfathering of my brand new  
13 septic system that I just spent \$13,000. There is  
14 no contract and no single point of general  
15 oversight. There is disruption of traffic. As it  
16 is, our ferry system in the morning, when people  
17 leave the island to go to work, kids go to school  
18 between three and four, five o'clock within people  
19 come back, people from the resorts that leave the  
20 island, it's already stressed. And with having  
21 people there for months and months and years maybe  
22 creating this system, it will be a total disaster  
23 on the ferry system. There is no provision, really  
24 system maintenance emergencies. And what's the  
25 lifespan of the equipment?

1           Environmental concerns. I just got this beach  
2           nesting season is here from Sarasota County, okay.  
3           We have people monitoring turtle nests, volunteers.  
4           I am an environmentalist. Zoning will be changed.  
5           Can you imagine a McDonald's or Motel 6 or Motel 8  
6           there abiding by this light situations, and you  
7           will have a humungous additional septic system on  
8           the coast.

9           Potential sewer spill on the beach  
10          intercoastal is a definite possibility, and  
11          respectfully ask you to very seriously consider  
12          this and deny this proposal.

13          Thank you.

14          COMMISSIONER CLARK: Thank you very much.

15          Any of questions? Mr. Friedman.

16          MR. FRIEDMAN: Yes, sir.

17          Isn't it true that when you got your permit to  
18          construct your sewer -- your septic tank, that it  
19          included a notification for you that when central  
20          sewer was available, you were going to have to  
21          connect.

22          DR. ZAKOV: I am not aware of that. No.

23          COMMISSIONER CLARK: Any other questions?

24          All right. Thank you, sir.

25          DR. ZAKOV: Thank you.



1 MS. PIRRELLO: Following Mr. Cohen we will  
2 have Jane Kebe, Andrea Illiano and Gerry Illiano.

3 COMMISSIONER CLARK: Mr. Cohen, you are  
4 recognized.

5 PUBLIC COMMENT

6 MR. COHEN: Thank you.

7 My name is David Cohen, and I am a full-time  
8 resident of Don Pedro Island at 8 Pointe Way. This  
9 unsolicited bid by an LLC with both a demonstrable  
10 lack of actual experience of the proposed system at  
11 this scale, and a vague financial capability.  
12 There is no actual study proving the need for  
13 servicing on these islands. However, there are  
14 many studies by the governmental agencies  
15 previously mentioned showing that the biggest  
16 danger that we have for sewage runoff and spills  
17 comes from central sewer waste.

18 The estimated cost has been touched upon, but  
19 I am going to put a personal note on this. I am  
20 estimating a personal cost of approximately \$400 a  
21 month for sewage alone, as I have seen no planned  
22 allowance for landscape watering. What else has  
23 not been planned as part of this application? No  
24 plan to assist in proposed hookup fees and other  
25 required improvements. No plan to take into

1 consideration the condition of new or properly  
2 maintained septic systems, and no plan for  
3 compensation of easements not currently in place.

4 There is more. There is no plan to cover  
5 costs dealing with endangered species relocation.  
6 No environmental study has been done to determine  
7 the construction impact the proposed project would  
8 have on these fragile barrier islands, which is  
9 home to, or on the migratory route of many  
10 endangered species, land, sea and air beasts.

11 One of the scariest pieces to a project of  
12 this magnitude that's missing is there is no  
13 provision for overall project oversight. No  
14 planning stated quantifiable project goals or  
15 quality standards that have to be met. Each of the  
16 several agencies involved oversees only their  
17 specific parts of the project and only through  
18 their particular lens.

19 Professionally, I have been in charge of  
20 quality assurance processes for more decades than I  
21 care to remember. The difference between small  
22 highly specific oversight and oversight by a person  
23 or agency with a combination of deep experience and  
24 operational integration knowledge is the only way  
25 to prevent completely otherwise unforeseen

1           disasters.

2                    What else? No plan to deal with ongoing  
3 maintenance in emergency situations. This has been  
4 touched upon by other people, but a slight twist  
5 here is if there is a prolonged power outage, you  
6 are looking at up to, if this is completely filled  
7 out, 600 people on a bridgeless barrier island  
8 struggling to find fuel to maintain these islands.

9                    As I am sure you are very well aware, anywhere  
10 in the state of Florida, after a hurricane hits,  
11 not only is electricity out, but fuel shortages  
12 come and go. We are already struggling to be able  
13 to provide for lights, refrigeration and medical  
14 equipment for a much smaller subset of people.

15                   For these issues I mentioned and many more the  
16 others have spoken to, or will speak to, I stand  
17 opposed this happen.

18                   Thank you for your time.

19                   COMMISSIONER CLARK: Thank you very much,  
20 questions.

21                   All right. Thank you for your testimony  
22 today.

23                   MS. PIRRELLO: After Ms. Kebe will be Andrea  
24 Illiano. Jerry -- or Gerry Illiano or David Kirk.

25                   COMMISSIONER CLARK: Ms. Kebe, you are

1 recognized.

2 PUBLIC COMMENT

3 MS. KEBE: Thank you.

4 Well, thank you everybody tonight, everybody,  
5 please, for your attendance and for your interest.

6 As my name is Jane Kebe. I live at 18 Palm  
7 Drive on Knight Island, and I have lived there -- I  
8 have owned the home for 10 years, and I have lived  
9 there full time for six years.

10 I worked as an environmental engineer for over  
11 20 years, specializing in wastewater design and in  
12 hazardous waste. In my graduate studies, I had two  
13 semesters specifically dedicated to wastewater  
14 treatment design and biological unit operations,  
15 then I applied this knowledge that I gained into my  
16 career.

17 I can attest that wastewater design,  
18 construction and operations requires a substantial  
19 training and education and significant amount of  
20 hands-on experience. After reviewing Jack Boyer's  
21 any used curriculum vitae, I do not believe they  
22 have the experience, they don't have the education  
23 and the technical expertise to construct and  
24 operate this proposed of sewer system, and I  
25 believe that their application should be denied.

1           And thank you for your time and consideration.

2           COMMISSIONER CLARK: Thank you very much, Ms.

3           Kebe.

4           Any questions?

5           Next witness.

6                           PUBLIC COMMENT

7           MS. ILLIANO: Good evening. My name is Andrea  
8           Illiano, and I live at 46 Tarpon Way on Palm  
9           Island. We have been residents of Palm Island  
10          since 2008, and since 2014 full time.

11          Both my husband and I, he will speak next a  
12          little bit further than I will, but we are both  
13          certified in maintaining our septic system with the  
14          County, and we have maintained that system very  
15          thoroughly faxing our sludge levels and all of the  
16          other information that was needed to satisfy the  
17          environmental needs of our home and county.

18          We feel our system works excellent. We have  
19          had no issues with it. And I feel this is just  
20          something that is totally uncalled for. We have no  
21          need to do this. As I said, we have been on the  
22          island since 2008 with no problem whatsoever.

23          We are a very environmentally conscious  
24          family, always fighting for water quality. This  
25          has nothing to do with water quality or adding to

1 the needs for our environment to be kept safe.

2 So, again, I am going to ask you to deny this  
3 permit, as there is no need for it. Our systems  
4 have been working beautifully, and the County has  
5 certified us. And having lived in New York and  
6 Long Island for most of our lives, we dreamed about  
7 being able to own a home with water in our back  
8 yard and the love of boating, which we do  
9 immensely, and I want to maintain that love and not  
10 have things impinge upon it and take away the  
11 beauty of our island with no necessity for it.

12 Thank you for your support on this.

13 COMMISSIONER CLARK: Thank you.

14 Any of questions?

15 All right. Next speaker.

16 MS. PIRRELLO: Following the next speaker, we  
17 will have Dave Kirk, Cheryl clause and Lisa Haney.

18 PUBLIC COMMENT

19 MR. ILLIANO: Good evening, Commissioners. As  
20 you can see, my wife and I, we have lived together  
21 for a long time. She kind of covered everything  
22 that I was going to say.

23 But I was an electrician in New York and I  
24 worked pollution plants, and I will tell you, it's  
25 not a fun job. All I know is that our system works

1 very well. We need to pump out maybe once every  
2 four years. We have an aerobic system, which is  
3 like a small pollution plant that actually blows  
4 air into the waste tank and it lets the liquids go  
5 into a leach field. The leach field absorbs the  
6 water, you maintain your roots, you have no  
7 problems.

8 I think that the sewer system would create a  
9 devastating situation for our island. I think that  
10 the -- that we would have -- that we really don't  
11 need it. I think our septic systems are fine. So  
12 I would just like to add that.

13 COMMISSIONER CLARK: Thank you very much for  
14 your testimony.

15 Any questions?

16 All right. Thank you for being here tonight.

17 Ms. Pirrello.

18 MS. PIRRELLO: Following Mr. Kirk, we have  
19 Cheryl Klaus, Lisa Haney and Barbara DeYulio.

20 COMMISSIONER CLARK: Mr. Kirk, you are  
21 recognized.

22 PUBLIC COMMENT

23 MR. KIRK: Howdy. Dave Kirk, 24 BayShore  
24 Circle.

25 Against the whole concept of it a for-profit

1 utility. Against the removal of the septic  
2 systems, and just couldn't imagine the electrical  
3 systems involved with providing the pumps. I mean,  
4 if you are on the island, it's kind of reluctant to  
5 even have a light switch below floodplain, and then  
6 the amount of failures that could occur. And then  
7 you think of all the generators that would be --  
8 you know, the system would probably have a  
9 generator backup system. I can tell you that  
10 generator failures, they will be great for a few  
11 years, but it would be, in a flood situation, it  
12 would be terrible. All of them would have to be  
13 above floodplain, and I couldn't imagine what that  
14 would look like.

15 So against, and ditto for everybody else.

16 COMMISSIONER CLARK: All right. Thank you,  
17 sir.

18 Any questions? Mr. -- Mr. Kirk, Mr. Kirk,  
19 would you come back, please? We have one question.

20 MR. FRIEDMAN: One question. You are talking  
21 about the generators. Wouldn't it be possible for  
22 the utility to have a mobile generator to go around  
23 and assist in that situation?

24 MR. KIRK: Yeah, but I haven't seen them do  
25 that yet.



1           MR. FRIEDMAN: But there is not a sewer system  
2 out there yet, is there?

3           MR. KIRK: No.

4           MR. FRIEDMAN: Okay.

5           COMMISSIONER CLARK: All right. Thank you,  
6 sir.

7           All right. Next speaker.

8           MS. PIRRELLO: After Ms. Klaus is Lisa Haney,  
9 Barbara DeYulio and Linda Miklos.

10          COMMISSIONER CLARK: Ms. Klaus, you are  
11 recognized.

12                                   PUBLIC COMMENT

13          MS. KLAUS: Good evening. My name is Cheryl  
14 Klaus. I live at 540 South Gulf Boulevard on Don  
15 Pedro Island in The Preserve.

16           I have already sent in my letter in opposition  
17 to this proposal by Environmental Utilities. I am  
18 just here to reiterate, in case you didn't read it,  
19 that I am opposed to this proposition for all of  
20 the four reasons that need to be met in order to  
21 issue such a permission to build.

22           I just cannot imagine digging up a barrier  
23 island full of protected gopher tortoises, et  
24 cetera. I suppose you have never been to the  
25 island, so you have no idea what a big sand

1 beautiful island this is, how environmentally  
2 sensitive it is, and there is really no need for it  
3 in the first place, need for a septic system, or a  
4 sewage system out there.

5 So thank you for your time. Again, I am just  
6 voicing my opposition.

7 COMMISSIONER CLARK: Thank you very much.  
8 Questions, anyone?

9 All right. Next witness.

10 MS. PIRRELLO: Following Ms. Haney, Barbara  
11 DeYulio, Linda Miklos and Laura Gruneiro.

12 PUBLIC COMMENT

13 MS. HANEY: Hi. My name is Lisa Haney. I  
14 live at 58 Tarpon Way, and I am here to support  
15 residents and also ask for the denial of the  
16 application.

17 I can't imagine how overly invasive this would  
18 be to our island. I am emotional about the animals  
19 that we protect, and the amount of disturbance for  
20 something that we don't need is just ridiculous.  
21 That's what I have to say.

22 COMMISSIONER CLARK: All right. Thank you.  
23 Any of questions?

24 All right. Next witness.

25 PUBLIC COMMENT

1 MS. DEYULIO: I am Barbara DeYulio. I live at  
2 1 Pointe Way on Don Pedro Island.

3 All I have to say is we do not need this. We  
4 do not need a sewage system. Our island, if you  
5 have ever been there, is the most gorgeous place in  
6 the world, and this disruption of our beauty and  
7 our nature would just be devastating to our island.  
8 So I am hoping that you will deny this proposal.

9 Thank you.

10 COMMISSIONER CLARK: Thank you.

11 Any questions?

12 Okay. Ms. Miklos.

13 PUBLIC COMMENT

14 MS. MIKLOS: Hi. I am Linda Miklos, and my  
15 husband and I live on 40 North Gulf. And I am  
16 requesting that you deny EU's proposal for a  
17 permit, and I just want to say I have dittos for  
18 everybody, David, and Jane, and Cheryl, and  
19 everybody.

20 Our island is just a special place. We come  
21 and go in golf carts. And if we need to go off the  
22 island, we use a ferry. So there is all kinds of  
23 disruption with if they decide to put a sewer  
24 system on, we wouldn't be able to get on the ferry  
25 forever.

1           There is no need for it. We didn't ask for  
2           it. We got little or no -- incomplete information  
3           on it. We haven't been proven any technical  
4           support that they have any technical expertise, and  
5           the rates are just exorbitant.

6           But my -- I guess the little thing I want to  
7           add is why are we doing this? Who is it  
8           benefiting? We on the island are completely happy.  
9           We moved there for our dream, and knowing that we  
10          are on a septic system, and we are all really  
11          conscious of the environment and want to keep  
12          everything the same, all of the animals, and the  
13          water, and just the whole environment, and who is  
14          this benefiting? It's not benefiting us. The only  
15          thing I can see is the only ones who need a better  
16          sewer system is the resort, and maybe they are  
17          benefiting by spreading the cost to us, and that's  
18          just not fair.

19          So that's what I have to say. So I request  
20          you think about all of our letters, and all of our  
21          points, and deny EU the permit. Thanks.

22                 COMMISSIONER CLARK: Thank you very much, Ms.  
23          Miklos.

24                 Questions?

25                 Thank you. You are excused.

1 MS. PIRRELLO: Everyone who has registered to  
2 speak is lined up here. If you wanted to speak and  
3 you have not filled out a speaker form, please do  
4 so.

5 COMMISSIONER CLARK: I have -- I have a Laura.

6 MS. PIRRELLO: Yes, she's right there.

7 COMMISSIONER CLARK: Okay.

8 PUBLIC COMMENT

9 MS. GRUNEIRO: Hi. I would also like to thank  
10 you for giving us the opportunity to come here to  
11 oppose a central sewer system on the island. My  
12 name is Laura Gruneiro, and I have a home at 421  
13 Kettle Harbor Drive. And one of the reasons that I  
14 think we all love the island is its rural nature,  
15 and the environmentally conscious residents take  
16 great pride in trying to preserve that, and I don't  
17 see any need to come in and put in a sewer system  
18 that I agree is going to cause massive disruption  
19 to the existing wildlife, plants, gopher tortoises,  
20 et cetera. And I certainly don't want to see that  
21 type of infrastructure supporting more higher  
22 density development, condos and high rises.

23 And I also wrote a letter, and I don't have  
24 too much else to add. I think everyone's  
25 presentations were excellent, and I just wanted to

1 be here in support of the opposition and just  
2 formally state that I would like you to please deny  
3 the request by EU.

4 Thank you.

5 COMMISSIONER CLARK: Thank you very much.

6 Any questions from the parties?

7 All right. Ms. Pirrello.

8 MS. PIRRELLO: That's everyone that we have  
9 registered. Is there anyone else who wished to  
10 speak?

11 COMMISSIONER CLARK: Anyone else that would  
12 like to sign in to speak?

13 Sir, are you requesting to speak?

14 MR. KNIGHTEN: Yes.

15 COMMISSIONER CLARK: Okay. We got a staff?

16 MS. PIRRELLO: Call Art Knighten -- Knighten.

17 COMMISSIONER CLARK: I will get him.

18 Just state your name again, please.

19 PUBLIC COMMENT

20 MR. KNIGHTEN: Art Knighten, 130 Bocilla.

21 COMMISSIONER CLARK: Mr. Knighten were you  
22 sworn earlier?

23 MR. KNIGHTEN: Yes.

24 COMMISSIONER CLARK: Okay. You did swear,  
25 okay. Thank you.

1           You are recognized.

2           MR. KNIGHTEN: Okay. I want to thank y'all  
3 for coming out on this terrible night. It really  
4 it is.

5           But one thing I did want to touch on is that  
6 irregardless of everything else, if you tear up  
7 every septic tank on that island and truck it off  
8 the island to somewhere else in Charlotte County,  
9 or somewhere else, I can't imagine how many  
10 hundreds of dump trucks are going to have to go  
11 across that ferry system. I mean, that's just one  
12 small aspect of what's going to have to happen with  
13 this system if it's approved.

14           And like everybody has said, we have enough  
15 trouble getting on and off the island at times.  
16 Sometimes it's great. Sometimes it's not so great.  
17 But, I mean, you are looking -- the other  
18 construction equipment coming on and off, but just  
19 the dump trucks, the hundreds and hundreds of dump  
20 trucks, because you got hundreds of septic tanks,  
21 and, you know, it might take two, three, four dump  
22 trucks to get that off the island, and then bring  
23 more dirt on to fill it up.

24           That's all I wanted to add. Thank you.

25           COMMISSIONER CLARK: All right. Thank you,

1           sir.

2           Any questions?

3           All right. Thank you very much.

4           Does that conclude?

5           All right. I believe that concludes everyone.

6           Did everyone that signed up get an opportunity to

7           speak? All right. Great. Very good.

8           Thank you again for taking your time out of  
9           your schedules to be here. I promised you we would  
10          get you in time to get on that last ferry home,  
11          right, so that was one of our objectives tonight,  
12          to be able to get everybody home.

13          We thank you again for your participation in  
14          the process. We look forward to continuing to read  
15          the comments that are continuing to come in via our  
16          website. And with that said, Commissioners,  
17          anything that you have before we go?

18          All right. We will reconvene tomorrow  
19          morning, I believe 9:30 a.m. for the final customer  
20          service hearing.

21          Thank you very much.

22          (Proceedings concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA )  
COUNTY OF LEON )

I, DEBRA KRICK, Court Reporter, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 24th day of February, 2022.



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DEBRA R. KRICK  
NOTARY PUBLIC  
COMMISSION #HH31926  
EXPIRES AUGUST 13, 2024