

**Charlie Smith**

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**From:** Office of Commissioner Fay  
**Sent:** Tuesday, April 16, 2024 12:40 PM  
**To:** Commissioner Correspondence  
**Subject:** Docket No. 20240032-SU  
**Attachments:** FW: Docket #20240032-SU; Fwd: Denying EU Application for Wastewater Service;  
Docket #20240032-Su; RE: RE: Docket #20240032-SU

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please place the attached emails in Docket No. 20240032

## Charlie Smith

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**From:** Amanda Small <amanda.small@redrockstech.com>  
**Sent:** Monday, April 15, 2024 8:19 PM  
**To:** Records Clerk  
**Cc:** Office of Chairman La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo; Office of Commissioner Graham; Office of Commissioner Fay; David Cohen (david.paul.cohen@gmail.com)  
**Subject:** FW: Docket #20240032-SU

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

Dear Commission,

Please see the below forwarded email from David Cohen. It is my understanding that he has submitted this letter twice to the Commission, but he has yet to get a confirmation email that you have received it, nor is it currently posted to the docket. It appears he has the correct Docket number and email addresses. I'm submitting for him as I've had no problems getting confirmations of receipt from you and see my requests added to the docket.

Sincerely,  
Amanda Small  
Red Rocks Technology Partners, LLC  
303-952-4655  
[www.RedRocksTech.com](http://www.RedRocksTech.com)

**From:** David Cohen <david.paul.cohen@gmail.com>  
**Sent:** Sunday, April 14, 2024 7:57 AM  
**To:** clerk@psc.state.fl.us  
**Cc:** Commissioner.Fay@psc.state.fl.us; Commissioner.Graham@psc.state.fl.us; Commissioner.Passidomo@psc.state.fl.us; Commissioner.Clark@psc.state.fl.us; Commissioner.LaRosa@psc.state.fl.us  
**Subject:** Docket #20240032-SU

To: Clerk of the Commission, Commissioner LaRosa, Commissioner Clark, Commissioner Passidomo, Commissioner Graham, Commissioner Fay

My name is David Cohen and I live, full time, at 8 Pointe Way, Don Pedro Island. This location is within the area proposed for service by this application. My phone number is 201-600-1450 and I would be happy to have a polite conversation about this matter if you so desire. My email address is [davidpaulcohen@gmail.com](mailto:davidpaulcohen@gmail.com) if you wish to contact me that way. I have had a residence on the island since 1990.

I am writing to respectfully ask that you deny EU's application for wastewater service.

I am further asking that EU be prohibited from ever applying for providing wastewater service in the future.

Only a few things have changed since I last wrote the commission with the same request.

### **What changed?**

- The county has now changed their mind about sewer on the islands attempting a legal workaround to their own Comprehensive plan.
- The claim is that while the Comprehensive Plan prohibits the County from installing central sewer, but not a privately owned utility. This so obviously defeats the purpose of the existing comprehensive plan designation and is an example of politics at its worst, encouraging development in increasingly shrinking protected areas with a nod and a wink.
- If the county truly wants sewers on these barrier islands, they must attempt to change the land use designation and do the work themselves, not hide behind an obvious backdoor move.
- Surprise! There are now developers who desire the sewer system to be installed. What could possibly be the reason behind this? By convincing the county to skirt the comprehensive land use plan allowing for increased AND ALREADY PLANNED higher density development. This privately owned, for-profit limited liability company will maximize their profits on the backs of island residents (as they have previously declared they will apply for the maximum rates and increase legally allowed).

### **What has not changed:**

- There is no need for this service.
  - There has been no evidence provided that supports a need for service in the proposed service area. Expert witnesses at the last Administrative Hearing held by the county commission refuted the arguments that EU put forward supporting the need for service
  - There is zero scientifically proven need for this service. No water quality testing has been done in our area to prove any water quality impact coming from the barrier islands.

- The community at large does not desire such a service.
- Highly dangerous environmental impact.
  - During the implementation of this project:
    - There would be immense environmental disruption of the many endangered species that inhabit these islands as well as migratory species.
  - After implementation of this project:
    - Based on the specific type of implementation being considered, an event that causes a lack of electricity, fuel and prevents or severely restricts island access such as another hurricane Ian would spell an environmental disaster for the entire group of islands. Please note that the large existing gravity operated tanks currently in use would be replaced by very small tanks (yes, there would still be holding tanks with the new service) that rely on continuous access to end-user supplied power to operate. IMAGINE THE ENVIRONMENTAL DISASTER OF THE ENTIRE ISLAND COMPLEX WITH ZERO SEPTIC MANAGEMENT CAPABILITIES FOR AN EXTENDED PERIOD OF TIME SUCH AS THE PERIOD FOLLOWING HURRICANE IAN.
- Quality of life impact for residents.
  - The combination of post-storm rebuilds, new home construction, and tourist traffic during season has made wait lines at the ferry both unpredictable and outrageous. Now, consider the heavy equipment and materials transport needed to construct an island-wide central sewer system. And how long it will take to build.
  - The sand roads (not dirt roads) do not lend themselves to manholes as the paved roads on the mainland do. The impact to the sand roads, both public and private, have not been explored or mitigated.
- The cost to homeowners. Do standard mainland sewers incur such cost? No.
  - Enormously more expensive, initially and on an on-going basis, than sewer systems on the mainland to the citizens impacted.
  - Grossly underestimated monthly costs based on erroneous average estimated household water usage.

- No access to gray water systems to offset landscaping water usage.
- Based on my personal water usage, the total for water and sewer service would often exceed \$500 / month.
- There is a whole host of related costs unique to this application that place an undue burden on island residents including but not limited to:
  - Cost of pump-out and maintenance of the new system tank. **Isn't the purpose of a sewer system to prevent tanks filling up and needing pump outs?**
  - Cost of removal of existing materials involving very high barge fees.
  - Cost of rehoming protected wildlife.
  - Cost of electric installation for the system, potentially requiring new or added panels.
  - Cost of replacing anything more than the "basic landscaping" that the hook-up agreement states will be replaced.
  - In the event of another bad storm or lengthy power outage, residents will need to have a generator continually running to prevent sewage backup on their property.
- EU's existing troubled track record as a company as well as a lack of experience owning a wastewater utility is a significant red flag. Any claim by EU to the contrary should be investigated thoroughly. Combined with the lack of county or state oversight of initial installation, ongoing operations as well as the potential for a true environmental disaster with no plan for mitigation being submitted and agreed upon should disqualify this application. This would not be a public service, it would be a public disaster.
- There are unexplored alternatives to a sewer system on the barrier island, including but not limited to:
  - Different types of septic systems that act as treatment plants.
  - County required inspections and maintenance of existing systems along with associated fees for non-compliance.
- There is also the 'elephant in the room' requirement for the Palm Island Resort to fix issues with their own privately operated sewage system. While the resort would not directly use the septic systems being contemplated, the costs of hooking up their system to the county via this private central line would be completely passed on to the citizens targeted on Don Pedro Island.

There are many more reasons, but I am confident that my fellow islanders will write in and, if needed, speak before the commission as they did the last time EU made essentially the identical application.

Once again, I ask that you deny the EU's application for wastewater service.

I am further asking that EU be prohibited from ever applying for providing wastewater service in the future.

Respectfully submitted,

**David Cohen**  
**201-600-1450**

**Charlie Smith**

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**From:** Andrea Illiano <artabc58@gmail.com>  
**Sent:** Monday, April 15, 2024 4:41 PM  
**To:** Office of Commissioner Fay  
**Subject:** Fwd: Denying EU Application for Wastewater Service

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

Sent from my iPhone

Begin forwarded message:

**From:** Andrea Illiano <artabc58@gmail.com>  
**Date:** April 15, 2024 at 4:39:08 PM EDT  
**To:** commissioner.Graham@psc.state.fl.us  
**Subject:** Fwd: Denying EU Application for Wastewater Service

Sent from my iPhone

Begin forwarded message:

**From:** Andrea Illiano <artabc58@gmail.com>  
**Date:** April 15, 2024 at 4:37:56 PM EDT  
**To:** commissioner.Passidomo@psc.state.fl.us  
**Subject:** Fwd: Denying EU Application for Wastewater Service

Sent from my iPhone

Begin forwarded message:

**From:** Andrea Illiano <artabc58@gmail.com>  
**Date:** April 15, 2024 at 4:36:41 PM EDT  
**To:** commissioner.LaRosa@psc.state.fl.us  
**Subject:** Fwd: Denying EU Application for Wastewater Service

Sent from my iPhone

Begin forwarded message:

**From:** Records Clerk <CLERK@psc.state.fl.us>  
**Date:** April 15, 2024 at 2:46:43 PM EDT  
**To:** Andrea Illiano <artabc58@gmail.com>  
**Cc:** Consumer Contact <Contact@psc.state.fl.us>  
**Subject: RE: Denying EU Application for Wastewater Service**

Good afternoon Andrea and Gerry Illiano,

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

Best regards,

Charlie Smith II  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
850-413-6770

-----Original Message-----

From: Andrea Illiano <artabc58@gmail.com>  
Sent: Sunday, April 14, 2024 11:04 AM  
To: Records Clerk  
<CLERK@PSC.STATE.FL.US>  
Subject: Denying EU Application for Wastewater Service

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We are full time residents of Palm Island at 46 Tarpon Way and have lived here since 2008. We have not asked for or want sewers on our beautiful island which is home to many native creatures and wildlife. This would create a situation that island residents have not requested in any shape or form. We oppose this application for sewers vehemently and have maintained well functioning septic systems for over 2 decades! Please reject this request! Thank you Sincerely Andrea and Gerry Illiano 46 Tarpon Way Placida 33946 Palm Island

Sent from my iPhone



## Charlie Smith

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**From:** tericummiskey firetechequipment.com <tericummiskey@firetechequipment.com>  
**Sent:** Monday, April 15, 2024 1:19 PM  
**To:** Records Clerk  
**Cc:** Office of Chairman La Rosa; commissioner.clarke@psc.state.fl.us; Office of Commissioner Passidomo; Office of Commissioner Graham; Office of Commissioner Fay  
**Subject:** Docket #20240032-Su  
**Attachments:** IMG\_6416.jpg

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Gentlemen

I am writing to you regarding the application for Certificate to provide wastewater service in Charlotte County by Environmental Utilities, LLC.

We are property owners at 8144 Little Gasparilla Island on Little Gasparilla island.

Most people are not familiar with Little Gasparilla Island. Our little island is remote and accessible only by boat, We have no roads, no streetlights, no commercial activity its basically an island of houses.

Environmental Utilities LLC is currently our water supplier. The installation of the water lines around the island is completely unprofessional and sub par. (See attached picture for reference looking toward neighbors at time of installation of water line) The water line that comes down to our home isn't even completely buried , maybe down 1 ft and is above ground at various places. I have seen that with others as well. Utility boxes that are half installed in the ground. The concern is if this is they way they ran water lines how are they going to run sewer lines? I highly suggest the commissioners send at team to the island to see all the challenges before considering this application. The island deals with flooding issues due to weather events ( Hurricanes and Tropical Storms) and even some heavy rains can cause major flooding on our island.

Also I have see the plans for the Waste water system which is not a true sewer system. It seems it includes utilizing the property's existing septic systems and only pumping off the residual water. This does not solve the waste water problem on the island and the septic systems would still need to be pumped out and maintained as well as the high cost that Environmental Utilities LLC would be charging each homeowner for their system. At present the homeowners on the island are maintaining their systems and do not see a need for service. The water in our bays is thriving with aquatic life. The majority of homes can not afford a huge upfront cost \$12,000 and this would be a huge burden to the owners on the island who are still recovering from the wrath of Hurricane Ian. We have previously owned property in Big Coppitt Key just outside of Key West, when the sewer system was installed the homeowners were given the option to pay upfront or have the cost rolled into their real estate taxes to lesson the burden. As a home owner we do not have the luxuries that properties on the main land. We pay large amounts of real estate taxes while receiving no services, trash, lights, roads etc from the County.

I would highly suggest that a better job be done to ensure that IF a sewer project is done is done right the first time. Our eco system on LGI deserves the best protections available to allow the island to thrive as one of the last undisturbed by commercial development pieces of Florida.

Respectfully

Teresa Cummiskey

8144 Little Gasparilla Island  
941-268-1022







## Charlie Smith

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**From:** Amanda Small <amanda.small@redrockstech.com>  
**Sent:** Monday, April 15, 2024 1:12 PM  
**To:** Records Clerk  
**Cc:** Office of Chairman La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo; Office of Commissioner Graham; Office of Commissioner Fay; Edward Small  
**Subject:** RE: RE: Docket #20240032-SU

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Additionally, can be added to the docket as an Interested Person?

Sincerely,  
Amanda Small  
Red Rocks Technology Partners, LLC  
303-952-4655  
[www.RedRocksTech.com](http://www.RedRocksTech.com)

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**From:** Amanda Small  
**Sent:** Tuesday, April 9, 2024 9:44 PM  
**To:** clerk@psc.state.fl.us  
**Cc:** Commissioner.LaRosa@psc.state.fl.us; Commissioner.Clark@psc.state.fl.us;  
Commissioner.Passidomo@psc.state.fl.us; Commissioner.Graham@psc.state.fl.us; Commissioner.Fay@psc.state.fl.us;  
Edward Small <ed.small@redrockstech.com>  
**Subject:** RE: Docket #20240032-SU

Dear Clerk of the Commission,

We are writing to request the **DENIAL** of Environmental Utilities application for wastewater service on Palm Island/Don Pedro Island. Quite simply: We love the island the way it is. We do not want to see a private entity “run” this utility for a profit. The out of pocket costs to us to implement and ongoing monthly fees and maintenance expenses would be burdensome now and especially so in a future fixed-income retirement.

To be more elaborate:

- 1) We don't believe EU or any other entity has ever “proven a need” for a central sewer service. The septic systems that have been in place for YEARS have never been shown to cause any issues to us as homeowners or to the surrounding environment.
- 2) For the reasons stated above in #1 and more, we have not and would not request a sewer service to be established on the island.
- 3) There is great concern to us that EU is a private and for-profit utility. Utilities should never be run as for-profit organizations. Especially, one deceiving folks on the surface with an “Environmental” name. How is there transparency in a private company to its stakeholders?
- 4) EU's lack of experience in owning a wastewater utility is of great concern. How can one man claim to suddenly know how to run a wastewater utility with no experience? It is my understanding his running of previous and current water utilities has been less than stellar and honest.
- 5) The estimated out of pocket costs to us that would be mandatory up-front to establish service and then the outrageous monthly fees plus ongoing maintenance costs are egregious for anyone. They will be a burden to all current homeowners. They will deter future buyers here. They will devalue our properties and limit our pool of

potential buyers as ongoing costs will have to be factored into total cost of ownership. Those wanting to live the final years of their lives here will be forced to look somewhere other than the island. With a private for-profit utility any initial monthly rates are going to rise every chance they can and for the maximum amount. This is not affordable to most folks here now or in the future FOR SEWER BILL ALONE.

- 6) Since Hurricane Ian struck our island hard, it has oftentimes felt like living in a war zone with all of the machinery and service folks doing repairs and rebuilding. We can't imagine what it will be like and for how long with heavy machinery tearing up our sandy roads and yards.
- 7) After Hurricane Ian, the island was without power for several days. How will we be able to flush our toilets or use water with the suggested sewer system during the next hurricane/extended power loss? And if there's flooding that takes out the generators needed to run the systems in a power outage?
- 8) As we live on an island only accessible by private ferry or personal boat, accessing and living on our island while any sewer systems are implemented would make this place unlivable for an extended period of time.
- 9) We have abundant wildlife on the island including gopher tortoises and bobcats and very fragile plant life. The destruction of this precious environment cannot be allowed.
- 10) We are fortunate enough to also own a vacant lot on the island that could provide us with a larger home to better match our needs. However, we (and any other future land owners wanting to build) would be crazy to start building now and pay several thousands of dollars and be approved to install a currently valid septic system. Then, find out that EU's application had been approved and we have to shell out many more thousands of dollars remove that new no longer valid septic system and connect to sewers. While this drawn out application continues, any wise landowner would self-impose a moratorium on building until the final decision is made. But, then is it REALLY final if denied a SECOND TIME, and Jack Boyer applies a THIRD TIME? When does this end?

We feel in love with this special island years ago and were fortunate enough to buy a small affordable house here before the housing market went out of control. This is the affordable house that we plan to retire in, but it won't be that with the costs of implementation, monthly bills, and ongoing maintenance or replacement of a sewer system. If we wanted sewers, density, and high rise condos with zero character, there are many other overbuilt islands and cities in Florida. We chose this place as it was and there is almost nothing that is needed to improve life here. That certainly isn't an overpriced privately run for-profit sewer! Please DENY Environmental Utilities request to install a central sewer on Palm Island/Don Pedro Island.

Sincerely,

Edward and Amanda Small

[Amanda@redrockstech.com](mailto:Amanda@redrockstech.com)

[Ed.Small@redrockstech.com](mailto:Ed.Small@redrockstech.com)

720-235-9289

Owners and full-time residents of 30 Kettle Harbor Drive, Placida, FL 33946

Owners of an undeveloped lot at 12 Pointe Way, Placida, FL 33946

Palm Island/Don Pedro Island

Mailing Address: PO Box 652, Placida, FL 33946