CORRESPONDENCE 3/16/2022 DOCUMENT NO. 01947-2022

Antonia Hover

From: Hannah Barker

Sent: Wednesday, March 16, 2022 3:03 PM **To:** Commissioner Correspondence

Subject: Docket Correspondence

Attachments: Docket #20200226-SU and Commenters outside the Criteria in Florida Administrative

Code R 25-30.033(1)(k)(2); Docket #20200226-SU; RE. Docket #20200226-SU; Docket #

20200226-SU; Re Docket #20200226-S; Request Denial of EU's Application for Wastewater Service - Palm IslandKnight Island (Cape Haze); Little Gasparilla Island (LGI)- Waste water plan; Re Docket #20200226-SU; Re RE. Docket #20200226-SU

Good afternoon,

Please place the attached emails in Docket No. 20200226.

Hannah E. Branum

Executive Assistant to Commissioner Clark Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399 (850) 413-6004

From: Candyce Cohen <candycecohen@gmail.com>

Sent: Wednesday, March 16, 2022 3:00 PM

To: Office of Commissioner Clark; Office of Commissioner Passidomo; Office of

Commissioner La Rosa

Cc: Records Clerk; Jennifer Crawford; Ryan Sandy

Subject: Docket #20200226-SU and Commenters outside the Criteria in Florida Administrative

Code R 25-30.033(1)(k)(2)

SUBJECT: Docket #20200226-SU March 16, 2022

Dear Commissioners Clark, LaRosa and Passidomo,

I have written previously to state my concerns about the Environmental Utilities LLC application and to request you DENY the application. In monitoring sentiment in docket number 20200226-SU to assess support and opposition, I wanted to share one more concern. The utility has a requirement to demonstrate **a need for service** by providing a copy of all requests for service from property owners or developers in areas not currently served. I would think non-residents and non-property owners are not impacted by the outrageous fees should be excluded as ineligible to comment either way as they do not meet the criteria defined in the Florida Administrative Code R 25-30.033(1)(k)(2).

Of 11 who corresponded in support of the EU application through March 15th:

5 are not residents in the affected area (living in other areas of Charlotte County or in Palm Island Resort serviced by Knight Island Utilities).

2 are not property-owners in the affected area and

7 originated from the same email address, <u>EU7770FFICES@GMAIL.COM</u> raising the question of authenticity of the communications as this is an email address operated by the applicant.

- Terri and William Woodworth are residents of Palm Island Resort and **NOT A RESIDENT IN THE SERVICE AREA** and even state "we are residents in the resort. Yes, we have a sewer system. Yes, it needs repair."
- Chuck Soderquist gives a POBox and phone number, but is NOT A RESIDENT IN THE SERVICE AREA. In fact, no
 Soderquist's are listed as currently owning property in the proposed service areas.
- Tammy ORourke states she is a resident of Charlotte County, but NOT A RESIDENT IN THE SERVICE AREA,
- Randy Levy gives a phone number and email but the island address provided is listed in the name of Petrina Iverson, who did not send in a letter to the PSC. He is **NOT A PROPERTY OWNER** at least at the island address provided.
- Stewart and Sharon Saad who do not provide an address nor phone nor an email address and whose email came from <u>EU7770FFICES@GMAIL.COM</u> (leaving it open for alteration by applicant)
- Brian Callahan who provides no address nor phone although there may be a valid email address in the body of the email which also came from <u>EU7770FFICES@GMAIL.COM</u> (leaving it open for alteration by applicant)
- Leslie Durrance who provides no address nor phone nor email address (no Durrance's are listed as owning property in the
 proposed service areas) and whose email also came from EU7770FFICES@GMAIL.COM (leaving it open for alteration by
 applicant)
- A later submission by Chad Durrance lists an island addresses and a phone number but his email also came from <u>EU7770FFICES@GMAIL.COM</u> (leaving it open for alteration by applicant)
- Courtney DeFilipis, Courtney Boyer DeFilipis, John and Diane Boyer's daughter, would be a beneficiary of EU LLC via
 inheritance, is a realtor who gives no address, is NOT A RESIDENT IN THE SERVICE AREA and whose email also came
 from EU7770FFICES@GMAIL.COM (leaving it open for alteration by applicant)
- Jonathan Wright the arborist is NOT A RESIDENT IN THE SERVICE AREA and whose email also came from <u>EU7770FFICES@GMAIL.COM</u> (leaving it open for alteration by applicant)
- Nick no last name given who lists an address of a home owned by the two EU LLC principals, John and Diane Boyer. He is
 NOT A PROPERTY OWNER in the service area and his email also came from <u>EU777OFFICES@GMAIL.COM</u> (leaving it open for alteration by applicant)

Please add some extra scrutiny to the public correspondence on the docket as electronic communications make these type of testimonials easy to thwart. This is one reason why there is no single "form letter" in opposition - as we all feel it important that the commission hear from the heart of the matter for our residents.

Thank you again for your time, attention and service to Floridians and please take the preponderance of evidence into consideration and DENY this application.

Very kind regards,

/CC/

Candyce Cohen

8 Pointe Way, Don Pedro Island

candycecohen@gmail.com
(201) 600-1083

From: Tremblay <jltremblay@verizon.net>
Sent: Wednesday, March 16, 2022 11:44 AM

To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of

Commissioner Passidomo

Subject: RE. Docket #20200226-SU

Attachments: Document6.docx

Please read the attached letter opposing EU's attempt to install sewage at LGI. Thank you.

Docket #20200226-SU

To Whom It May Concern;

We have been out on Little Gasparilla Island for 42 years. We bought our lot, cleared it up by hand and over 4 years built our cottage. This was a time that the average family could do it if they wanted to. Now we are retired and looking forward to spending our time there but due to things we have no control over we are being pushed off. Other counties that have brought out sewer systems gave the land owner 10 years to pay through property taxes. Jack Boyer is going to want all the money at once. We can't afford it. Brevard county even passed a one cent sales tax increase to help land owners and county differ the cost to help clean up Indian river Lagoon and install septic systems. If Charlotte County was really all that concerned about the water quality of the harbor, they would be proactive with a plan and program. Please deny the request of EU for sewer setup.

Joe Tremblay

Little Gasparilla Island house #8266

Jltremblay@verizon.net

From: Nicolas Caussade <ncaussade@yahoo.com>
Sent: Wednesday, March 16, 2022 11:43 AM

Subject: Docket #20200226-SU

My name is Nicolas Caussade and I am a resident of Palm Island: my residence is specifically on Don Pedro Island.

I am opposed to the central sewer system being considered and request that Environmental Utilities application for wastewater service be denied for the following reasons:

- I do not believe there is a need for wastewater service on a sparsely populated barrier island that is primarily second homes
- My understading is that Environmental Utilities has no experience developing or managing a wastewater system
- I have no knowledge of Environmental Utilites financial wherewithal to develop and operate a wastewater system and neither do they since based on the information presented they have not been able to effectively communicate the costs of developing and operating the system
- The proposed charges for the system, that would be imposed on this small community, appear excessive in comparison to the perceived benefits

My understanding is that the main rationale for implementing a wastewater service is due to environmental concerns. I purchased my home on Don Pedro Island in 2005 and have been visiting the island since the mid 1990s and have never been aware of any issues with the water quality stemming from wastewater. I am not aware of any water quality testing in the area that supports the need for a wastewater system. This project risks the potential of increased development of the island by opening the door to increased residential density that would result in the potential destruction of habitat and interference with the local flora and fauna, such as sand dunes, sea turtles, nesting sea birds, and tortoises. I would also add that a central wastewater system like the one proposed with a subaqueous crossing of the intracoastal waterway, poses greater risk of contaminating Lemon Bay than the risk of one or more septic systems developing leaks: I have personally experienced this in other parts of the country where underwater sewer pipes leaked for days prior to realizing there was a leak and repairing said leak.

The information presented shows that Environmental Utilities has no experience developing or operating wastewater systems, which is evident from their initial application that showed they did not know what type of system they would install, the costs to them, or the ultimate costs to the residents which would have no choice but to connect, given current Charlotte County regulations, and pay any cost overruns, and ongoing operating costs well in excess of those paid by residents on the mainland. Since Environmental Utilities has not addressed how the system will be serviced in the event of failure during a storm or other adverse conditions, the reliability of the system is questionable.

My understanding based on what has been presented is that the cost of the now proposed system would result in an average residential bill of \$180/month, which is twice the amount a resident in Rotonda pays for both water and sewer: I already pay approximately \$80/month for water. Additionally, the proposed system would place undue burdens on the residents of the community given the proposed system with the limited

capacity grinder pump. This system, in addition to the connection costs that are not well supported, will potentially require each resident to:

- incur costs for preparing for the hookup, including costs to gain access to crush & fill the septic tank
- incur additional costs for potentially upgrading the electric system to accommodate the needed equipment
- incur additional monthly electricity costs for the pump equipment
- potentially incur the costs of installing a generator to ensure the pump works during prolonged power outages to avoid a sewage backup
- incur costs associated with replacing the equipment at each residence, since this equipment will be the responsibility of the homeowner

In addition to these costs, Environmental Utilities is going to claim ownership of a utility easement that will go from the sewer equipment, located near the house to the connection in the road without compensating the homeowners.

In closing, Environmental Utilities is applying to install and operate a wastewater system, having no experience in developing and managing such systems, with no perceived benefit for the residents of the community. The system would be developed at an uncertain cost that will be borne by the residents, and will provide guaranteed profit to the ownership of Environmental Utilities given residents will be required to hook to the system (septic systems will not be grandfathered even if recently installed and operating reliably) and pay rates sufficient to cover the utilities costs and guaranteed return. Note that the costs of connecting to the system, if approved, will be the responsibility of the homeowners and there is no financing plan proposed.

Based on the above, I request that Environmental Utilities application for wastewater service be denied.

Respectfully,

Nicolas Caussade ncaussade@yahoo.com Palm Island Resident

2540 Shumard Oak Blvd.

From: Sent: To: Subject:	Brad Cooke <cbcooke@gmail.com> Wednesday, March 16, 2022 11:41 AM Office of Commissioner Clark Re: Docket #20200226-S</cbcooke@gmail.com>
Dear Commissioner Clark,	
I appreciate your acknowledgn	nent of my comments and your attention to this matter.
Kind regards, Charles Cooke	
On Tue, Mar 15, 2022 at 1:04	PM Office of Commissioner Clark < <u>Commissioner.Clark@psc.state.fl.us</u> > wrote:
Dear Mr. Cooke,	
	regarding the Application for certificate to provide wastewater service in mental Utilities, LLC- Docket No. 20200226. I know how concerning it can be ble change regarding utilities.
hearings, and through the couperspective is to me. Tomorro are scheduled to make a deci-	hear from many of you over the past few months, both in person at our service untless emails I have received. I want to stress how valuable the customer ow the parties in this case will be filing briefs, laying out their arguments, and we sion the morning of Tuesday, May 3 rd at our monthly Agenda Conference. If you da Conference you may go to FloridaPSC.com, where it will be live streamed.
Thank you, again, for contacti	ing me. I appreciate the opportunity to hear your concerns.
Sincerely,	
Gary F. Clark	
Commissioner	
Florida Public Service Comm	ission

Tallahassee, FL 32399

(850) 413-6038

From: Brad Cooke < cobcooke@gmail.com Sent: Saturday, January 22, 2022 2:11 PM

To: Office of Commissioner Clark < Commissioner. Clark@psc.state.fl.us >

Subject: Docket #20200226-S

Dear Commissioner Clark,

My name is Charles Cooke and I am a recent property owner on Don Pedro Island. My wife and I are Florida natives and after years of searching for a second home property fell in love with the old Florida charm of the island. I am extremely concerned about the possibility of EU providing private sewer service to the island. There are not appropriate controls in place to protect the residents of this island if this applicant is permitted to control a private sewer system. The applicant does not have experience operating such a system and also will have too much ability to pass down unknown costs to the property owners. There has not been proven scientific reason for the installation for such a system.

I urge you to deny the EU application to provide private wastewater service to our island. If this project were to move forward it would represent the PSC enabling an unnecessary infrastructure project that will ultimately be paid by property owners who have no interest in the service.

Thank you for your careful attention to this matter.

Sincerely, Charles Cooke

Cbcooke@gmail.com

From: Robin Fleck <rfleck@O2INVESTMENT.COM>
Sent: Wednesday, March 16, 2022 9:24 AM

To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of

Commissioner Passidomo

Subject: Request Denial of EU's Application for Wastewater Service - Palm Island/Knight Island

(Cape Haze)

To all concerned:

My husband and I are owners of Unit 1624 at Palm Island Resort (7542 Palm Island Drive, Bldg 6, Placida FL 33946 — Jeff and Robin Fleck) and we strongly object to the proposed wastewater project. The finances and technical expertise of the developer and contractor are highly suspect. The onerous repercussions to property owners in terms of costs, in conjunction with proponents' lack of planning for crises like power outages, are alarming. We are not aware of legitimate studies documenting contamination problems in our area, and this project appears to be of substantial financial benefit to the promoters of the project, while ignoring the distinctly negative impacts to property owners. Please conclude that property owners' interests and needs should be preeminent in the decision on this matter, and deny this project. Thank you.

Sincerely, Robin Fleck
Director of Finance and Administration
REI Investment Group Inc.
40900 Woodward Ave., Suite 200
Bloomfield Hills, MI 48304
248-554-4221 rfleck@rei-group.net

From: Kelly Lyons <alltech-structural@verizon.net>

Sent: Wednesday, March 16, 2022 8:02 AM

To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of

Commissioner Passidomo

Subject: Little Gasparilla Island (LGI)- Waste water plan

Dear Commissioner,

The proposed plan for a central waste water system on LGI has a long list of negative issues and concerns which include, property rights, reliability, implementation. maintenance and cost, just to name a few. There has to be a better solution. If this system and associated cost were to be proposed for your neighborhood and your property would you support it?

Please reject this plan and give us time to explore better options.

Thank you for your time.

Sincerely,

Kelly Lyons

8944 Gulf Street LGI-Placida Florida 813-503-4211

From: Jeffrey Bashore <jeffreybashore@gmail.com>

Sent: Tuesday, March 15, 2022 10:02 PM

To: Office of Commissioner Clark; Records Clerk; Office of Commissioner La Rosa; Office of

Commissioner Passidomo

Cc: Mel

Subject: Re: Docket #20200226-SU

Dear Public Service Commissioners,

Thank you all for providing an opportunity for island residents to share their input about this incredibly impactful proposed project that would have a profound impact on the environment and our homes. Commissioner Clark - I personally appreciate that you took the time to acknowledge our family's written response.

You have a difficult decision on your hands. We fully recognize the desire and public interest in connecting the barrier islands to an effective sewer system. We are strong advocates for clean water and leaving a thriving ecosystem behind for our children.

I plead with you to recognize that the current application is so deeply flawed that it will only cause significantly greater environmental damage while also financially devastating island residents and ripping up our unspoiled ecological dreamland.

The proposed low pressure sewer system will only greatly exacerbate the problems that exist today with private septic systems. With multiple points of failure in the system at every home we are merely one storm and an extended power outage away from seeing massive water pollution after millions of dollars of taxpayer dollars are completely wasted.

As any island resident will tell you, the elements on the barrier islands are severe. They take a rapid, hard toll on everything, particularly electrical components. The concept of leaving solid waste behind in tanks and depending on hundreds to thousands of properly operating electric pumps to siphon off liquid waste is so broken at it's core that it is hard imagine that a knowledgeable, rational person could even propose it as a viable solution.

The many deeply flawed elements of the proposed system design are terrible enough that they should never see the time of day in a hearing in front of you. That is before you begin to consider that the applicant, Mr. Boyer, has the exact same amount of experience as me and most other island residents when it comes to installing and maintaining a large scale sewer system - <u>absolutely zero</u>. He not only lacks the experience but he also lacks the answers to critical questions about the planning, costs and logistics related to the massive infrastructure project.

The water utility that Mr. Boyer operates charges some of the highest rates in the state, has frequent outages, fails to properly distribute boil water notices and is considered unreliable by those in his service area. He lacks the experience and capital to make this project a success. It is a foregone conclusion that if he is granted the sewer permit that it will be a devastating outcome.

In closing, we personally appeal to you as a parents and environmental enthusiasts. Like our neighbors, we have a deep love for preserving some of our most pristine, unspoiled environmental treasures in Florida. We want to do our best to leave our barrier islands in better condition than we found them for future generations. The proposed project would permanently impact our islands and leave the future for our homes

and neighbors in great uncertainty. That is a huge price to pay for a solution that would not have a chance of solving the stated problem even under the best of circumstances and outcomes.

Regards, Jeff and Melissa Bashore 8738 Marsh Street Placida, FL 33946

(484) 769-4870

On Mar 15, 2022, at 1:47 PM, Office of Commissioner Clark < Commissioner. Clark@psc.state.fl.us> wrote:

Dear Mr. and Ms. Bashore,

Thank you for contacting me regarding the Application for certificate to provide wastewater service in Charlotte County, by Environmental Utilities, LLC- Docket No. 20200226. I know how concerning it can be when presented with a possible change regarding utilities.

I have had the opportunity to hear from many of you over the past few months, both in person at our service hearings, and through the countless emails I have received. I want to stress how valuable the customer perspective is to me. Tomorrow the parties in this case will be filing briefs, laying out their arguments, and we are scheduled to make a decision the morning of Tuesday, May 3rd at our monthly Agenda Conference. If you would like to watch the Agenda Conference you may go to FloridaPSC.com, where it will be live streamed.

Thank you, again, for contacting me. I appreciate the opportunity to hear your concerns.

Sincerely,

Gary F. Clark Commissioner Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399 (850) 413-6038

----Original Message----

From: Jeff Bashore <jeffreybashore@gmail.com>

Sent: Monday, January 24, 2022 3:11 PM

To: Records Clerk < CLERK@PSC.STATE.FL.US>; Office of Commissioner La Rosa

<Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark

<Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo

<Commissioner.Passidomo@psc.state.fl.us>

Cc: Mel <melbashore@gmail.com> Subject: Docket #20200226-SU

Jeffrey & Melissa Bashore 8738 Marsh Street Placida, FL 33946 Jeffreybashore@gmail.com

January 21, 2022

Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, FL 32399-0850

Re: Docket #20200226-SU

Commissioners of the Public Service Commission:

I am a property owner at 8738 Marsh Street on Little Gasparilla Island, which is a property within the service area of the proposed central sewer system, Docket #20200226-SU.

I formally object and request that PSC deny Environment Utilities (EU) application for Original Certificate of Authorization for this proposed central sewer system.

While I feel strongly that the barrier islands and low lying inland areas of the state should be swiftly migrated to a sewer system to protect our fragile ecosystem, I can concerned that the current proposal is deeply flawed.

Turning a project of this magnitude over to an LLC that has zero experience with installing or operating a sewer system is unacceptable. Environmental Utilities lacks both the experience as well as the capital to take responsibility for the proposed massive undertaking that will impact some of the most delicate, unspoiled areas of the SW Florida coast. The proposed solution leaves many critical questions unanswered about right-of-way access and how the many points of failure involved with a 'low pressure' sewer system would be effectively managed in the harsh climate presented on the barrier islands.

Charlotte County should be held responsible to implement and manage the project directly. It is clear that they are trying to find any bidder to insulate them from the obligations of managing this important work. Turning this over to an inexperienced, under-capitalized, for-profit LLC with the county maintaining no accountability for the outcome is not the right move for the environment, property owners in the affected areas or the citizens and visitors of Florida at large.

Regards, Jeff and Melissa Bashore

Tallahassee, FL 32399

From: Sent: To: Subject:	Tri Dang <trindang@yahoo.com> Tuesday, March 15, 2022 6:00 PM Office of Commissioner Clark Re: RE. Docket #20200226-SU</trindang@yahoo.com>
Thank you for your response	e, Commissioner Clark. We'll be keeping an eye on this important issue.
Regards,	
Tri Dang	
On Tuesday, March 15, 202 wrote:	2, 02:28:45 PM EDT, Office of Commissioner Clark <commissioner.clark@psc.state.fl.us></commissioner.clark@psc.state.fl.us>
Dear Mr. Dang,	
	e regarding the Application for certificate to provide wastewater service in Charlotte County, by – Docket No. 20200226. I know how concerning it can be when presented with a possible
through the countless email the parties in this case will b morning of Tuesday, May 3 ^r	to hear from many of you over the past few months, both in person at our service hearings, and is I have received. I want to stress how valuable the customer perspective is to me. Tomorrow be filing briefs, laying out their arguments, and we are scheduled to make a decision the at our monthly Agenda Conference. If you would like to watch the Agenda Conference you where it will be live streamed.
Thank you, again, for contac	cting me. I appreciate the opportunity to hear your concerns.
Sincerely,	
Gary F. Clark	
Commissioner	
Florida Public Service (Commission
2540 Shumard Oak Blv	rd.

From: Tri Dang trindang@yahoo.com Sent: Monday, March 14, 2022 9:28 PM

To: Office of Commissioner Clark < Commissioner. Clark@psc.state.fl.us>

Subject: RE. Docket #20200226-SU

Dear Commissioner Clark:

My name is Tri Dang. my wife (Jennifer) and I own a lot on Palm Island in Placida, Florida, where we plan to build our retirement home within the next few years. For the past sixteen months, homeowners including us on the Island are very concerned about issues with the proposed centralized waste collection services put forth by Mr. Jack Boyer, owner of the Environmental Utilities (EU) LLC. While we could not be there in person to support the Palm Island Estates (PIE) community, I was able to keep up-to-date with the ongoing issues. I am formally requesting that you and other commissioners **DENY** EU's application for wastewater services for the following reasons:

- 1) **Unreasonable high costs**: After several revisions, EU proposed cost to connect each unit on the Island to the "centralized collection service," which is estimated to be \$13,221, plus monthly charges of \$178.78. These cost estimates are way too high for individual households and will mostly likely be higher depending on the number of occupancies. In addition to these costs, homeowners are responsible for installing and maintaining other services such as pumps.
- 2) Lack of experiences in operating a project of this scope: I reviewed Mr. Boyer's biography and I appreciate his services to the country; however, if you compare his wastewater experience on a submarine and that of running a wastewater collection business providing services on a barrier island something must have overlooked. If anything goes awry on a submarine, you will always have the backing of the Department of the Navy, Department of Defense, and lastly that of the US Government to address issues. If anything goes awry with wastewater on Palm Island, will EU be that single point of contact to address and remediate all issues? It does not appear that way based on Mr. Boyer's deposition. I am afraid that it will be the people on Palm Island who will bear the cost to address those issues. In my opinion, this proposal does not have the support of potential customers more specifically the homeowners on the Island.
- 3) Ability to participate or opt-out: According to Mr. Boyer, one of the benefits that EU provides is to create and maintain an environmental-friendly system, where sewage water is collected, transferred, and treated off-island. This approach will prevent wastewater spillage on the barrier island that contaminate and cause damage to sea life. EU's proposed to replace existing concrete tanks with new tanks that made of composite material. These nouveau ideas are unproven as composite materials are not known to withstand the harsh conditions of salt water. According to concrete experts, the best material for sea water is concrete with reinforced steel though even these materials require periodic inspections to address performance degradation. EU's proposal requires full participation with one- or two-year phased in. This is the United States of America and thus, I believe that we have the right to not be forced to accept a high cost, unknown quality of service solution. We, the people on the Island, can address the issue through enforcement and due diligence maintenance of our septic tanks according to the County Health Department guidelines.

Again, I respectfully request that you and other commissioners **DENY** EU's application for wastewater services to Palm Island. It is absolutely the wrong proposal, the wrong team, and the wrong approach.

Please submit your comments to the docker
Sincerely yours,

Tri Dang

Email: trindang@yahoo.com