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de la Parte, Gilbert,  
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ATTORNEYS AT LAW

February 28, 2025

**Via Electronic Filing**

[Clerk@psc.state.fl.us](mailto:Clerk@psc.state.fl.us)

Commission Clerk  
Office of the Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re:    **Objection to Application for Original Wastewater Certificate –  
Environmental Utilities, LLC (Docket No. 20240032-SU)**

Dear Public Service Commission Clerk,

This firm represents the Hideaway Bay Beach Club Condominium Association, Inc. (“Hideaway Bay”), a condominium association which owns and manages the common areas and assets of the Hideaway Bay Beach Club Condominium, located on Little Gasparilla Island, Charlotte County, Florida. The assets managed by Hideaway Bay include an existing wastewater treatment facility permitted by the Florida Department of Environmental Protection, which currently provides wastewater service to the residents of the Hideaway Bay Beach Club Condominium and the Placida Beach Condominium.

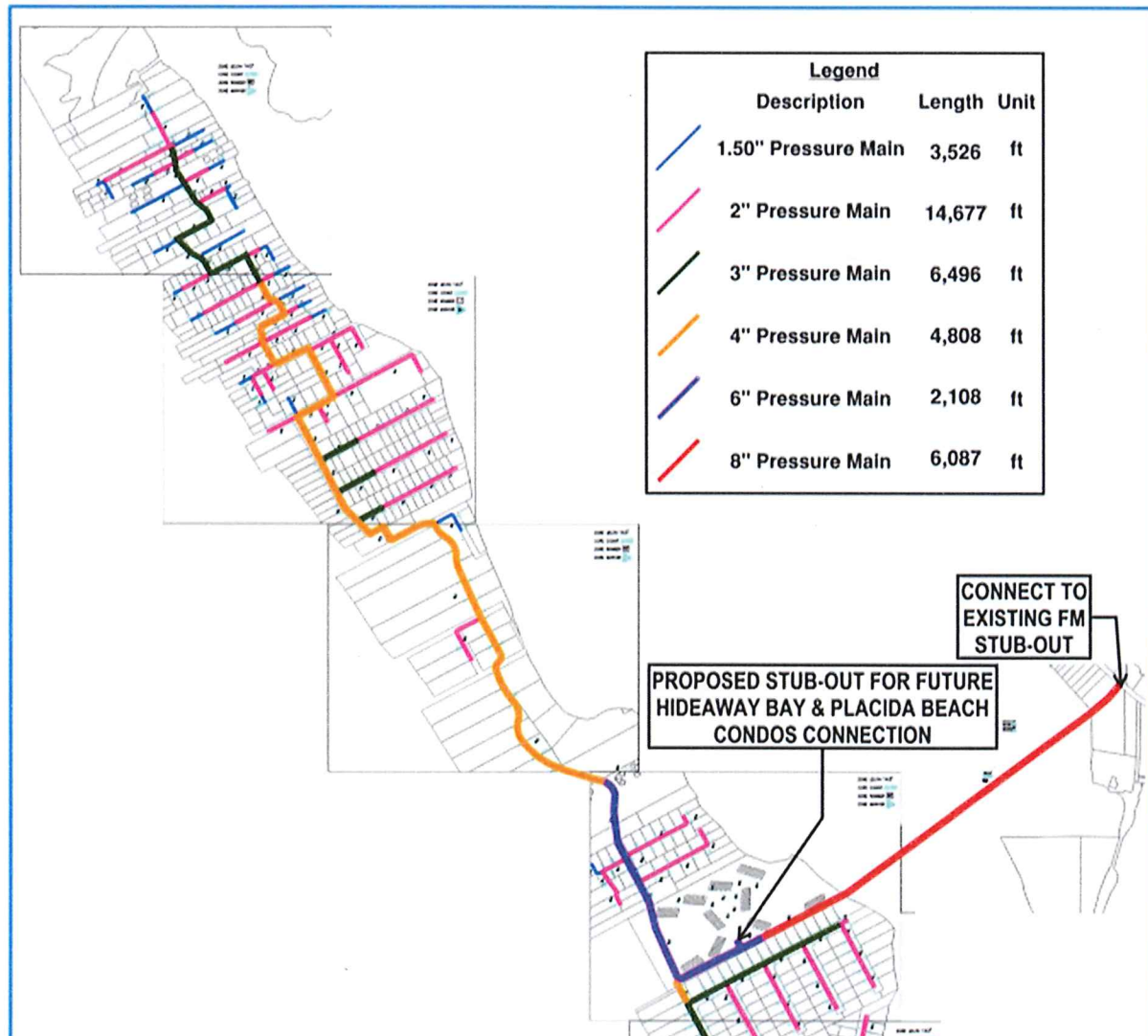
This is the second letter of objection that Hideaway Bay has submitted regarding Environmental Utilities, LLC’s (“EU”) requested Certificate of Authorization. On May 2, 2024, Hideaway Bay submitted an objection letter to the Public Service Commission (“PSC”) objecting to EU’s wastewater certification, based in part of EU’s inclusion of Hideaway Bay within its proposed service area. Shortly thereafter, on May 13, 2024, EU submitted an amendment to its application removing Hideaway Bay and Placida Beach condominiums from its proposed service area, indicating “[i]t was never the intent of EU to apply its septic-to-sewer project to Hideaway Bay and Placida Beach condominiums.”

Based on EU’s amendment and the representations made in its May 13, 2024 filing, Hideaway Bay had taken no further action with regard to EU’s application. Subsequent to EU’s modification to its application to amend its proposed service area, the Prehearing Officer established a schedule for the filing of party testimony and exhibits, and scheduled customer service and technical hearings to take place beginning January 28, 2025.

In EU’s filed rebuttal testimony and at the technical hearing, EU offered significant modifications to the design of its wastewater collection system. Among those modifications were the proposal of an entirely different collection system type, resizing of pipes, and a new

pumping system. Of great significance to Hideaway Bay, EU's rebuttal testimony identified for the first time, a complete relocation of the proposed force main routing for the system, including the locations where EU's proposed system would be connected to the mainland. EU's original system design called for a single force main transporting effluent from Don Pedro/Little Knight Island and Little Gasparilla Island to the mainland at Don Pedro Island State Park crossing the Cape Haze peninsula. In its rebuttal testimony, also for the first time, EU proposed two new force mains connecting EU's system to the mainland, including an 8-inch pressure main which would cross Hideaway Bay's property in order to connect the mainland to the proposed system, as reflected in the following excerpt from EU's filed rebuttal testimony:

### *Little Gasparilla Island*



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PROFESSIONAL ASSOCIATION

Notably, EU's newly proposed design includes a "proposed stub-out for future Hideaway Bay and Placida Beach condos connection," belying EU's prior representation in this proceeding that "[i]t was never the intent of EU to apply its septic-to-sewer project to Hideaway Bay and Placida Beach condominiums."

With these last-minute changes to the system, EU's new system proposal has directly impacted Hideaway Bay's interests. As explained above, though EU had originally represented that it had no intention to apply its project to Hideaway Bay, it now proposes to directly impact Hideaway Bay by running the major force main associated with the project through Hideaway Bay's property. This new proposed route has the potential to directly impact Hideaway Bay's own existing wastewater treatment facility, as well as other property interests of Hideaway Bay and its member-owners. These concerns do not appear to have been addressed by EU through testimony offered at the hearing in this matter. Nor did EU provide notice of the hearing to Hideaway Bay, despite the clear impacts effectuated by EU's significant, last-minute change to its proposal.

Based on these issues, as well as those identified by the other parties to this proceeding, as well as EU's failure to otherwise demonstrate that it has complied with the requirements of applicable PSC regulations, Hideaway Bay respectfully requests that EU's application be denied.

Sincerely,

de la Parte, Gilbert, McNamara  
& Caldevilla, P.A.



Nicolas Q. Porter