

**Nickalus Holmes**

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**From:** Nickalus Holmes on behalf of Records Clerk  
**Sent:** Monday, March 31, 2025 12:26 PM  
**To:** 'eric8421@gmail.com'  
**Cc:** Consumer Contact  
**Subject:** FW: Comment on Docket # 20240032 -- The Proposed Project is Unlawful And Must Be Rejected  
**Attachments:** Eric Bush Comment on Docket # 20240032.pdf

Good afternoon Mr. Bush

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

Thank you

Nick Holmes  
Commission Deputy Clerk II  
Office of Commission Clerk  
Florida Public Service Commission  
850-413-6770

**From:** Eric Bush <eric8421@gmail.com>  
**Sent:** Monday, March 31, 2025 12:16 PM  
**To:** Records Clerk <CLERK@PSC.STATE.FL.US>  
**Subject:** Comment on Docket # 20240032 -- The Proposed Project is Unlawful And Must Be Rejected

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Dear Commissioners,

On this record, approval of the proposed project would be unlawful under the Florida Administrative Procedure Act and under Florida Supreme Court Precedent. Fla. Stat. Ch. 120; *Cf. Floridians Against Increased Rates, Inc., v. Clark*, 371 So.3d 905 (Fla. 2023).

And it would violate the Florida and United States constitutions. U.S. Const. amend. V; Fla. Const. art. I, § 9; *Mathews v. Eldridge*, 424 U.S. 319 (1976).

As Governor DeSantis explained, "Strong private property rights are essential to a free society." But this project would unlawfully trample on the property rights of Little Gasparilla residents.

For that reason, it must be **REJECTED**.

My family owns a condo in Hideaway Bay on Little Gasparilla Island. After more than two years and millions of dollars of repairs, Hideaway Bay is finally approaching normalcy following Hurricanes Ian, Milton, and Helene.

But the proposed project would render Hideaway Bay once again uninhabitable. It would impose significant costs on homeowners who are already struggling from the financial impact of the recent hurricanes. And it would cause irreparable harm to the environment and the unique character of Little Gasparilla Island.

**All this for almost no upside.**

Accordingly, approval of the project would not be in the public interest. On this record, approval would be arbitrary and capricious and not supported by substantial evidence, in violation of the Florida Administrative Procedure Act. Fla. Stat. Ch. 120; Floridians Against Increased Rates, Inc., v. Clark, 371 So.3d 905 (Fla. 2023).

Additionally, because Hideaway Bay property owners did not receive adequate notice, approval of this project would violate the Florida and United States constitutions. U.S. Const. amend. V; Fla. Const. art. I, § 9; Mathews v. Eldridge, 424 U.S. 319 (1976).

Unlike with Ian, Milton, and Helene, we are not powerless to stop the consequences of this misguided project.

Please help protect the property rights of Little Gasparilla residents and **REJECT** this unlawful project.

Thank you for your consideration,

Eric Bush

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