

Antonia Hover

From: Antonia Hover on behalf of Records Clerk
Sent: Tuesday, January 25, 2022 11:57 AM
To: 'candycecohen@gmail.com'
Cc: Consumer Contact
Subject: FW: Docket #20200226-SU
Attachments: PSC Letter Docket #20200226-SU .pdf; ATT00001.htm

Good Morning, Candyce Cohen.

We will be placing your comments below in consumer correspondence in Docket No. 20200226, and forwarding them to the Office of Consumer Assistance and Outreach.

Thank you!

Toni Hover
Commission Deputy Clerk I
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
Phone: (850) 413-6467

From: Candyce Cohen <candycecohen@gmail.com>
Sent: Monday, January 24, 2022 4:32 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>
Subject: Re: Docket #20200226-SU

Dear Clerk of the Commission and Commissioners,

I apologize if this is duplicative, but I just checked the Docket 2020226-SU and did not see my letter appearing on the list of letters received. In case a glitch has happened, I wanted to resend to ensure my concerns are captured. Thank you for your consideration.

January 22, 2022

Reference: **Docket #20200226-SU**

Distinguished commissioners LaRosa, Clark, Passidomo and Clerk of the Commission,

Good morning. I have been a homeowner on Don Pedro Island in Charlotte County since 1990, and a full-time resident since 1995. I am formally requesting the Public Service Commission DENY Environmental Utilities LLC's (EU's) application for wastewater service for the following reasons:

1. NEED FOR SERVICE

Water quality testing in and around Lemon Bay and northern Charlotte Harbor has not established the need to replace septic systems with a central sewer system. To address this concern, EU emailed interested parties information from a Florida Atlantic University study on septic system impact on the "urbanized Indian River Lagoon" area on the east/Atlantic coast of Florida. EU has also referenced via email that the islands to the north (in Sarasota County) and to the south (in Lee County) are on central sewer.

- The population density from Indian River and surrounding coastal counties are significantly greater running from 20% to 85% greater population density than Charlotte County.
- I also note the Indian River Lagoon is listed as the waterway with the 4th highest volume of untreated sewage spills in the state from Florida DEP analysis spanning 2009 – 2018, and therefore should not be conflated with Lemon Bay and Charlotte Harbor.
- As Mr. Boyer has also communicated the islands north and south have central sewer, to be clear both those counties have 280% greater population density than Charlotte County.
- Don Pedro, Knight and Little Gasparilla Island differs significantly from our neighbors on the east coast. Besides population density referenced above, the islands do not support high-rise/multifamily nor commercial development (beyond a single resort on the north end). Extensive commercial development is not zoned for and not contributing to the need for central sewer. In fact, our zoning ensures this will not change.
- Anecdotally, we have seen on other islands up and down the coast, when sewer is installed developers "lobby" county and city commissions to alter zoning to increase development which would fundamentally change the nature of the islands and the Florida native environment we have today.

Given these concerns, I request EU's application be **DENIED**.

2. INCREASED RISK OF SEWAGE SPILLS DUE TO POWER INTERRUPTIONS (vs AGEING INFRASTRUCTURE)

While future local water quality studies may one day show some nutrient leakage from septic tanks, central sewer adds risk for environmental nightmares beyond an individual home's septic tank collapsing here and there. Checking Florida headlines and Florida DEP Public Notice of Pollution (PNP) tracking of sewage and wastewater spills¹ over the past few years²

In 2019, the Department of Environmental Protection reported **2,779 wastewater spills in Florida**, compared with **1,282 reported spills in 2007**. There was a large jump in 2017, the year of **Hurricane Irma, of a reported 3,452** wastewater spills. ... Pathogens in wastewater are known to cause lung and intestinal infections.

<https://projects.wuoft.org/humanhazard/major-spills-fro...>



<https://www.floridatoday.com/story/news/2021/12/16/>

Thousands of gallons of raw sewage spilled in Titusville, Palm ...

Dec 16, 2021 – Thousands of gallons of raw sewage leaked in Titusville, Palm Bay ... according to the Florida Department of Environmental Protection.

<https://www.abcactionnews.com/news/region-pinellas/>

At least 1,300 gallons of sewage leaks into St. Pete waters

Jul 20, 2021 – This is also not the only wastewater leak that has happened recently around the Tampa Bay area. The Florida Department of Environmental ...

¹ <https://prodenv.dep.state.fl.us/DepPNP/reports/viewIncidentDetails?page=1>

² <https://stories.usatodaynetwork.com/sewers/>

Major spills from Florida's sewage treatment plants are on the ...

Aging infrastructure and storms contribute to massive spills

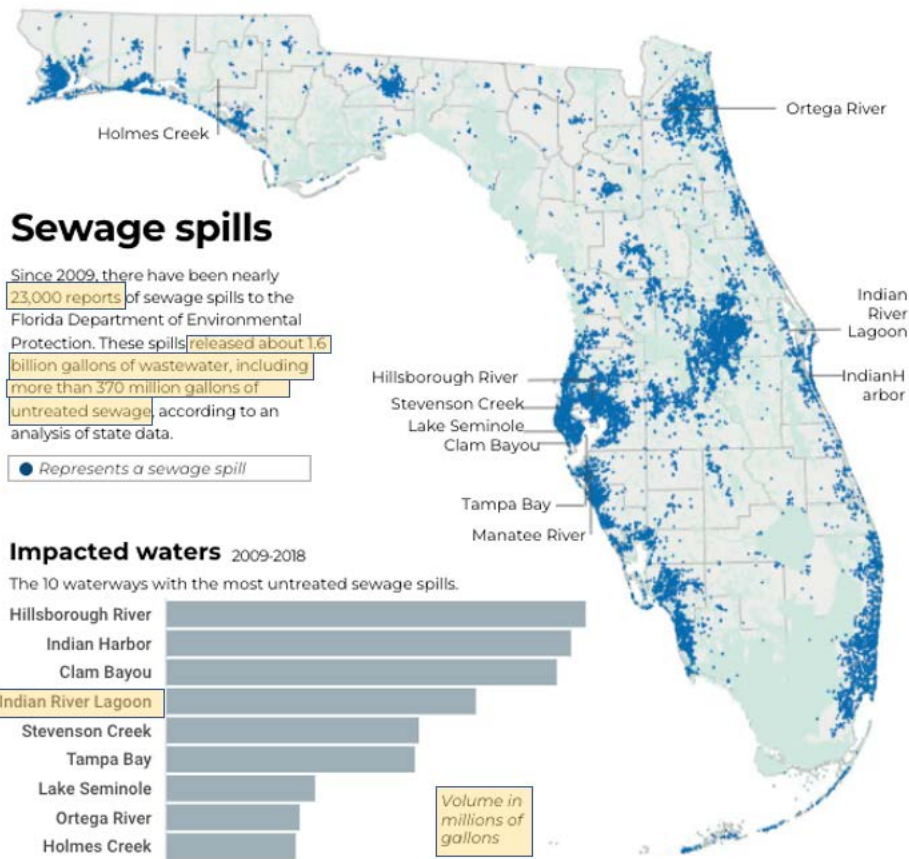
BY JOSH SALMAN, JENNIFER BORRESEN, DAPHNE CHEN
AND DAK LE / GATEHOUSE MEDIA

, Sarasota Herald-Tribune

More than 900,000 gallons of raw sewage flowed into Sarasota Bay after a violent December storm forced open a city pipe.

Summer rain in Daytona Beach and equipment failure in Jacksonville each prompted more than a quarter-million gallons of human waste to spill from sewers last year.

In Boca Raton, a pressurized pipe gushed out nearly 50,000 gallons of untreated wastewater, while another 55,000 gallons spewed from a DeFuniak Springs manhole into nearby Bruce Creek.



I note while EU would hopefully not struggle with Ageing Infrastructure, it would have to contend with **POWER OUTAGES**.

- The system proposed by EU requires electrical pump stations distributed to each homesite. In addition to the **significant cost** of supporting these, an extended Florida Power outage could lead to a devastating raw, untreated sewage dump in our waters - hundreds of times greater than individual septic tanks. Even with EU requiring each homeowner install/upgrade electrical service and generators, during power outages, fuel is precious and difficult to obtain.

- We have a hurricane season every year and have had numerous instances of multi-day outages on island. To add risk of environmental damage due to difficulty providing electricity to individual septic pumps island-wide is a risk that should weigh heavily in the consideration.
- Power outages are common throughout the year even outside the 6-month long hurricane season. In the last month we have had two significant outages one which resulted in a 19-hour outage across most of the island.

Given these concerns, I request EU's application be **DENIED**.

2. FINANCIAL ABILITY

The principals of Environmental Utilities (EU) are well-known to island residents with no observable financial stability or standing to undertake a project of this nature typically undertaken by municipal and governmental bodies. EU has not referenced any efforts to seek available water quality grants such as the Florida water-quality SWAG grants or the federal DEP 319 grants designated for septic to sewer projects.

- As a limited liability corporation, EU LLC will not pass basic due diligence to be deemed a qualified recipient of the environmental, governmental or even philanthropic grants available to support such projects. Grantors will be required to act as fiduciaries in granting taxpayer or donor funds. The principals of the LLC have little to no oversight and would logically be considered "high-risk" potential recipients of grants.
- The principles of a limited liability corporation can "walk away" at any time with no liability – with grant monies in their pockets and no recourse to taxpayers or foundations.
- Further, as an LLC entity can "walk away" from the project at any time, there are no requirements to report any monies paid to that date. As there is no governmental body is taking responsibility for this project, islanders are left susceptible to undue risk of financial loss from a "limited liability" entity.
- With the size and resources of EU being limited, their capabilities to negotiate, oversee, and run such a large logistical infrastructure project are incredibly limited. Contract management, purchasing, construction oversight and execution would be much better overseen by a governmental entity which has the critical mass to cover such logical functions across a county/state entity.

Given these concerns, I strongly request EU's application be **DENIED**.

3. TECHNICAL EXPERTISE

Environmental Utilities (EU) is an LLC whose principals are well known to many island residents through a couple decades of business practices -- none of which is in providing wastewater solutions. Our natural environment is too important to risk to an inexperienced, limited liability entity experiment with providing services in lieu of the currently working septic solutions.

- Citing a loose "relationship" with Knight Island Utilities which operates at Palm Island Resort does not ensure experience or knowledge nor does it instill confidence in island residents who have observed and smelled the failing treatment of sewage at the current Knight Island Utilities location.
- EU's principals currently operate Little Gasparilla Water Utility which, while not wastewater, the numerous anecdotal customer complaints on this entity show an indication of their ability to provide and support utility services.

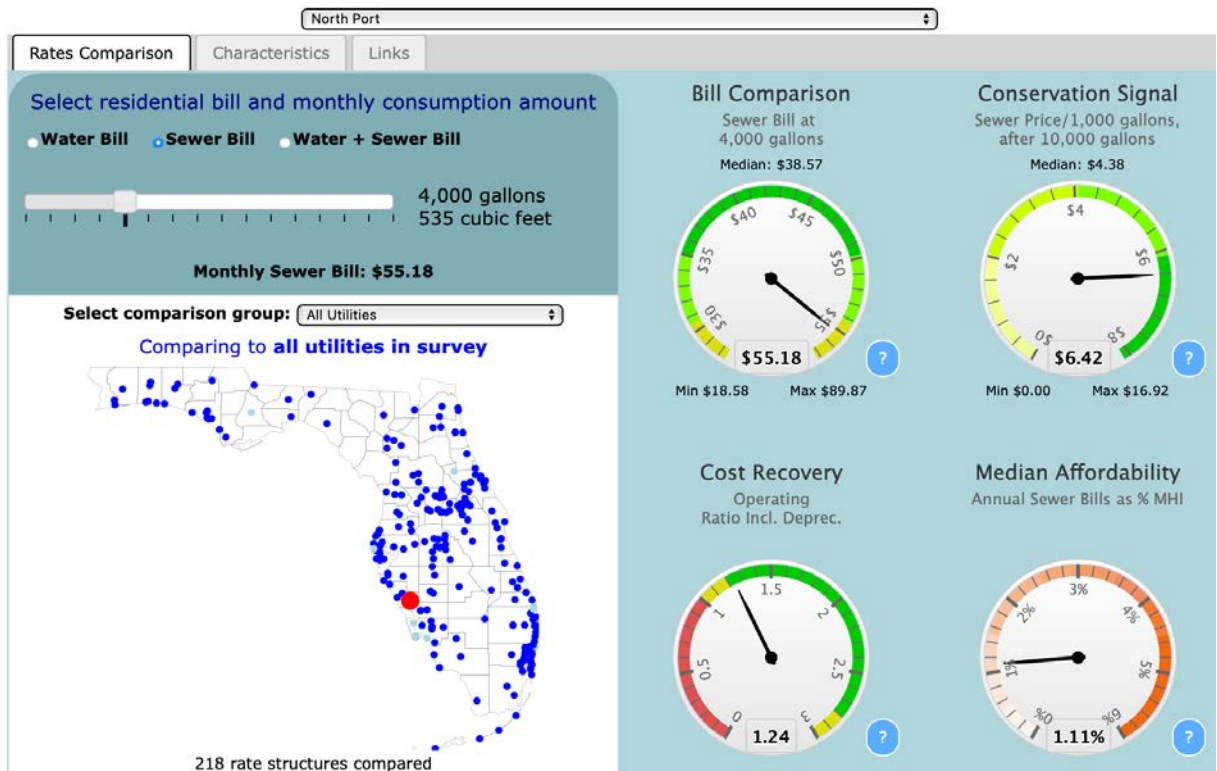
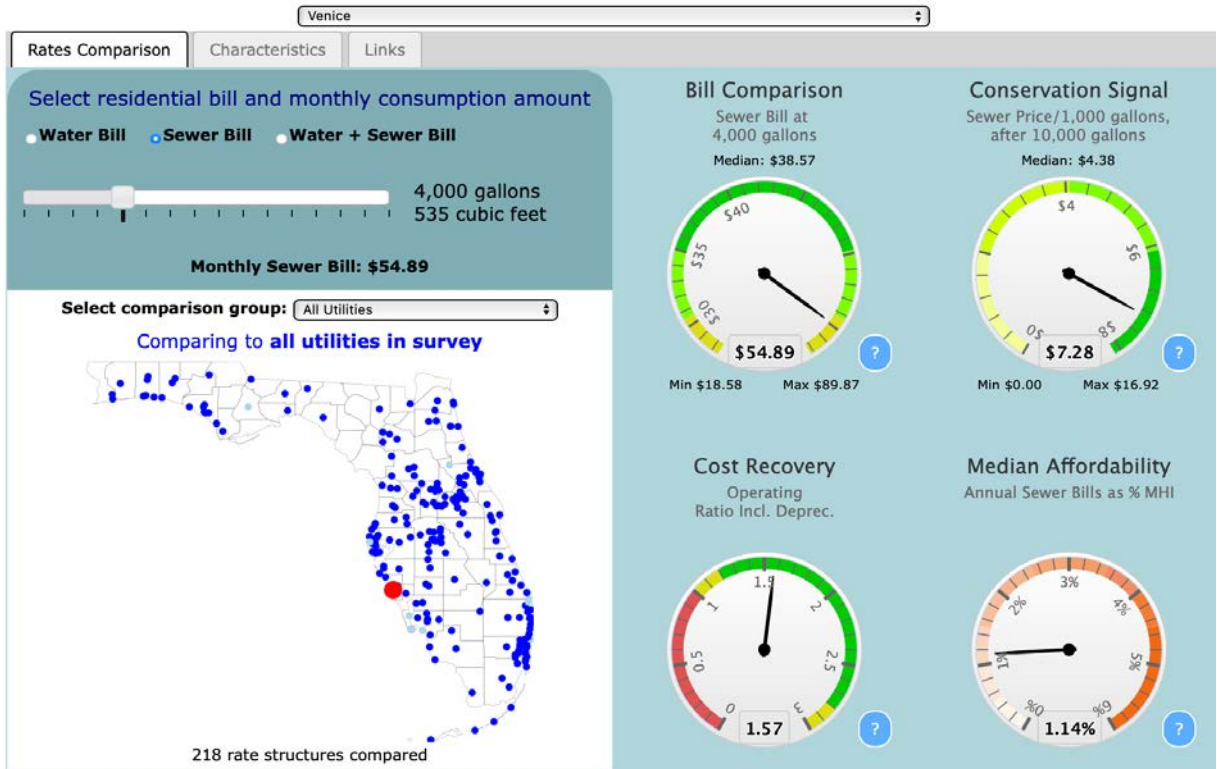
Given these concerns, I request EU's application be **DENIED**.

4. FAIR & EQUITABLE RATES & CHARGES

Charges estimated for individual residential homeowners are nothing short of outrageous and unsubstantiated by facts.

- A connection charge (Service Availability Charge) originally estimated at \$20K/unit was reduced to \$13,221/unit upon further analysis which begs the question if all rates overestimated by 50%??!! The average estimated monthly residential usage (of 4k/gallons) is \$256.66 – and this **is in addition to** the highest water rates paid to a private for-profit water utility on the island.
- The estimated wastewater costs are significantly more than four times the cost of wastewater for our mainland neighbors. EU has shared an estimated \$256.66 monthly charge for use of 4000 gallons which

compares to \$54.89 in nearby Venice, FL and \$55.18 in nearby North Port, FL (both in Sarasota County)³.
[FL Water and Wastewater Rates Dashboard \(upd Sept 2020\)](#)



³ <https://dashboards.efc.sog.unc.edu/fl>

Charlotte County collects our tax dollars, but has abdicated responsibility to provide service with even the minimal oversight and services for island residents who are in Charlotte County.

- The proposed solution requires expensive electrical upgrades as well as generators to help protect wastewater processing in the event of the all too frequent power outages we see throughout each year. In a hurricane season, access to fuel and fuel at stations with electrical power are rare commodities. EU is looking to force homeowners eliminate their safe working septic systems in favor of a wastewater solution provided by an inexperienced provider susceptible to failure with our all too frequent power outages.
- As EU will not be able to avail themselves of 319 or SWAG grants that would be available to a municipal or governmental entity, the entire burden of cost will fall on homeowners who already pay taxes into the county covering countywide utility infrastructure.

Given these concerns, I request EU's application be **DENIED**.

In summary, I am asking that the Environmental Utilities LLC application addressed by Docket #20200226-SU be **DENIED** on these points:

- No proven need for replacement of existing septic tanks.
- No studies in local waters (the studies cited were performed in Florida's waterway with the 4th highest impact from untreated sewage spills).
- Current low-density and no multi-family zoning in our area.
- Increased risk of untreated sewage spills due to reliance on electricity in an area with common power interruptions.
- EU's corporate structure as a "LIMITED LIABILITY" corporation will not pass basic due diligence for federal and state 319 or SWAG grants leaving the entire burden of cost on the homeowners.
- EU does not have demonstrated expertise in providing central sewer solutions.
- EU's rates and charges have been guesswork at best evidenced by
 - The 50% overestimated connection fee originally provided
 - The estimated **ongoing** monthly costs of more than 465% of our mainland neighbors)
 - The extensive costs to run lines from main roads, fill and remove existing septic, upgrade electrical service, provide, and maintain generators for common power outages, and grant uncompensated easements across privately held land adds further to each homeowner's costs.

Thank you for your service, taking the time to read my concerns and your serious contemplation and review of the EU LLC proposal which drives so many of us to reach out and communicate our concerns with you.

Best regards,



Candyce Cohen
Don Pedro Island Resident
8 Pointe Way
Charlotte County FL
Financial Technology Consultant
Cell: 201-600-1083
Email: candycecohen@gmail.com