

**Charlie Smith**

**From:** Betty Leland  
**Sent:** Tuesday, April 16, 2024 7:47 AM  
**To:** Commissioner Correspondence  
**Subject:** FW: Docket #20240032-SU

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

Good Morning:

Please place this email in Docket #20240032.

Thanks.

Betty A. Leland, Executive Assistant to  
Commissioner Art Graham  
Florida Public Service Commission  
[bleland@psc.state.fl.us](mailto:bleland@psc.state.fl.us)  
(850) 413-6024

**From:** Amanda Small <[amanda.small@redrockstech.com](mailto:amanda.small@redrockstech.com)>  
**Sent:** Monday, April 15, 2024 8:19 PM  
**To:** Records Clerk <[CLERK@PSC.STATE.FL.US](mailto:CLERK@PSC.STATE.FL.US)>  
**Cc:** Office of Chairman La Rosa <[Commissioner.LaRosa@psc.state.fl.us](mailto:Commissioner.LaRosa@psc.state.fl.us)>; Office of Commissioner Clark <[Commissioner.Clark@psc.state.fl.us](mailto:Commissioner.Clark@psc.state.fl.us)>; Office of Commissioner Passidomo <[Commissioner.Passidomo@psc.state.fl.us](mailto:Commissioner.Passidomo@psc.state.fl.us)>; Office of Commissioner Graham <[Commissioner.Graham@PSC.STATE.FL.US](mailto:Commissioner.Graham@PSC.STATE.FL.US)>; Office of Commissioner Fay <[Commissioner.Fay@psc.state.fl.us](mailto:Commissioner.Fay@psc.state.fl.us)>; David Cohen ([david.paul.cohen@gmail.com](mailto:david.paul.cohen@gmail.com)) <[david.paul.cohen@gmail.com](mailto: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](mailto:david.paul.cohen@gmail.com)>  
**Sent:** Sunday, April 14, 2024 7:57 AM

**To:** [clerk@psc.state.fl.us](mailto:clerk@psc.state.fl.us)

**Cc:** [Commissioner.Fay@psc.state.fl.us](mailto:Commissioner.Fay@psc.state.fl.us); [Commissioner.Graham@psc.state.fl.us](mailto:Commissioner.Graham@psc.state.fl.us);

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**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.

o 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.
  - o 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
  - o 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.
  - o The community at large does not desire such a service.
- Highly dangerous environmental impact.
  - o 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.
  - o 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 by 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