

BROWARD COUNTY

A broken water pipe left Fort Lauderdale dry for a day. Now, businesses are suing FPL

BY JULIA INGRAM



JULY 29, 2019 02:07 PM, UPDATED 8 MINUTES AGO

The city of Fort Lauderdale was left without water for hours on July 18, 2019 as a main water pipeline broke forcing stores to close and residents to line up for water. BY [CHARLIE ORTEGA GUIFARRO](#) 

Businesses left without water in a [daylong outage](#) in Fort Lauderdale earlier this month are suing Florida Power & Light for “gross negligence.”

The utility was overseeing construction work that led to the rupture of a pipe that cut off water to thousands of customers.

The water break happened July 17 when a subcontractor for FPL, Florida Communications Concepts — also a subject of the lawsuit — [struck a 42-inch pipe](#) at Fort Lauderdale Executive Airport while drilling underground to repair electric lines.

But while the city scrambled to repair the damaged pipe, businesses across Fort Lauderdale were closing down, unable to operate without water for preparing and serving food, keeping their spaces air conditioned, and maintaining adequate fire-sprinkler systems.

Now, three restaurants, a restaurant group and two law firms are demanding an excess of \$15,000 in damages for lost business. The first named plaintiffs are Runway 84, Andy’s Live Fire and Grill, and Phat Boy Sushi, The Restaurant People Management, and law firms Di Pietro Partners and Morgan Olsen & Olsen.

Attorney Adam Moskowitz says he has been contacted by others who want compensation for their losses.

Moskowitz said the \$15,000 lawsuit could climb much higher if others join the class action suit.

He plans to continue to add more plaintiffs, and thinks that he can receive class certification within a few months. That would mean the entire group of affected businesses would be treated as one in the case. Hoping to consolidate all complaints about the break into a single class action suit, Moskowitz is working with lawyer William Scherer, best known for his role in sealing George W. Bush’s narrow win over Al Gore in 2000.

The suit, filed Monday in Broward Circuit Court, calls the subcontractor “small” and “insufficiently staffed,” and alleges that it failed to adequately prepare or investigate the work site. The complaint also alleges that Florida Communications Concepts provided the state a different location than the one it actually worked on when reporting the work site.

FPL declined to comment. The subcontractor, FCC, did not immediately respond to a request for comment.

About 220,000 customers were left without water from morning to midafternoon on the day of the break. The damaged pipe was connected to the Fiveash water treatment plant, which serves Fort Lauderdale and neighboring municipalities Oakland Park, Wilton Manors, Lauderdale-by-the-Sea, Sea Ranch Lakes, Port Everglades, and parts of Davie and Tamarac.

By the afternoon, workers temporarily fixed the pipe to get the water flowing again. A [boil water notice](#) required restaurants and residents to boil water before drinking, washing dishes or brushing teeth for days after the break.

“What did they do before drilling?” Moskowitz said. “That’s the common question for everyone who suffered damages.”

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