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REPLY TO ALTAMONTE SPRINGS

MARTIN S. FRIEDMAN, P.A.  
VALERIE L. LORD, OF COUNSEL  
(LICENSED IN TEXAS ONLY)

September 9, 2003

**HAND DELIVERY**

RECEIVED FPSC  
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COMMISSION  
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Ms. Blanca Bayo  
Commission Clerk and Administrative Services Director  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

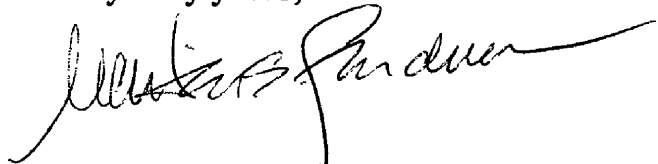
RE: Docket No.: 020567-WS; Investigation of Possible Overearnings by Lake Groves Utilities, Inc., in Lake County  
Our File No.: 30057.30

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket is Lake Utility Services, Inc.'s Request for Confidential Classification.

Should you have any questions regarding this matter, please do not hesitate to give me a call.

Very truly yours,



RECEIVED & FILED MARTIN S. FRIEDMAN  
For the Firm

*Man*  
\_\_\_\_\_  
FPSC-BUREAU OF RECORDS

MSF/mp  
Enclosures

cc: Mr. Jeffrey A. Small, Audit Manager (w/enclosure)  
Ms. Denise Vandiver, Chief of Auditing (w/enclosure)  
Mr. Steve Lubertozzi (w/enclosure)

ASO\Utilities\Lake Groves Overearnings\PSC Clerk 02ltr

DOCUMENT NUMBER-DATE

08490 SEP-98

FPSC-COMMISSION CLERK

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: LAKE UTILITY SERVICES, INC.

POTENTIAL OVEREARNINGS  
INVESTIGATION

Docket No.: 020567-WS

REQUEST FOR CONFIDENTIAL CLASSIFICATION

LAKE UTILITY SERVICES, INC. (*LUSI*), by and through its undersigned attorneys and pursuant to Rule 25-22.006, Florida Administrative Code, and Section 367.156, Florida Statutes, hereby requests confidential classification of certain work papers provided by LUSI in connection with the audit of this matter (*Work Papers*).

1. The information which LUSI seeks to be classified as confidential consists of (a) summaries of resolutions by the Board of Directors of Utilities, Inc., the parent company of LUSI (*UI*) relating to changes in the compensation of certain officers of UI and limitations on the authority of officers of UI to acquire and dispose of property of UI or otherwise create obligations that would be binding on UI; and (b) the names and salaries of officers and employees of LUSI's parent company, Utilities, Inc., (*Confidential Information*).

2. Attached to this Request is (i) a "Justification Table" which specifies the Confidential Information contained in the Work Papers that LUSI requests the Commission to classify as confidential and the statutory justification for the request in compliance with FAC Rules 25-22.006(4)(a) and (c) and (ii) one highlighted copy and two redacted copies of the Work Papers as required by FAC Rule 25-22.006(4)(a).

3. The Confidential Information should be classified as confidential because it is proprietary confidential business information owned or controlled by UI and intended by UI and LUSI to be, and is treated by UI and LUSI, as private, in that disclosure of the information would cause harm to the business operations and personnel of UI and its subsidiaries and has not been disclosed, except pursuant to a statutory provision, an order of court or administrative body, or a private agreement that provides that the confidential information will not be released to the public, as set out in Section 367.156(3), Florida Statutes.

DOCUMENT NUMBER-DATE

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4. The Confidential Information relating to the limitations on the authority of the officers of UI should be classified as confidential because the limitations on the authority of the officers of UI is information "relating to competitive interests, the disclosure of which would impair the competitive businesses" of UI, as specified in Section 367.156(3)(e), Florida Statutes. The disclosure of this information would impair or harm UI in its ability to freely engage in discussions of, and negotiations for, the acquisition or disposal of its assets and the assets of its subsidiaries.

5. The Confidential Information relating to the names of certain officers and employees and changes in their compensation is "employee personnel information unrelated to compensation, duties, qualifications or responsibilities as provided in Section 367.156 (3)(f), Florida Statutes. The information sought to be kept confidential relates only to the identity of the officer or employee, not the compensation provided. Its disclosure would tend to embarrass the officers and employees involved, and impair the ability of UI to hire qualified and competent personnel at competitive salaries.

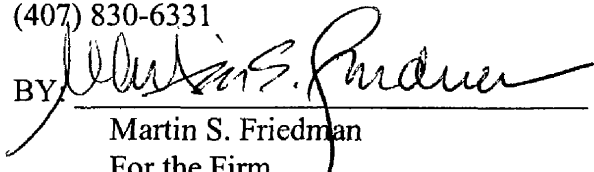
6. The Confidential Information should be classified as confidential because its disclosure is not required by law or the public interest and its disclosure would not serve any public purpose.

WHEREFORE, Lake Utility Services, Inc., respectfully requests that the Commission determine that the Confidential Information is entitled to confidential treatment pursuant to Section 367.156, Florida Statutes, and Rule 25-22.006, FAC, and exempt from public disclosure under Section 119.07 (1), Florida Statutes.

Respectfully submitted on this 5<sup>th</sup> day of  
September, 2002 by:

ROSE, SUNDSTROM & BENTLEY, LLP  
600 S. North Lake Boulevard  
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(407) 830-6331

BY

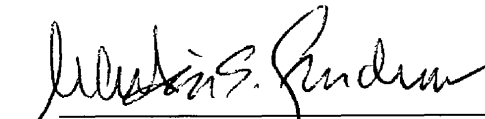
  
Martin S. Friedman  
For the Firm

**CERTIFICATE OF SERVICE**  
**DOCKET NO.: 020567-WS**

I HEREBY CERTIFY that a true and correct copy of the foregoing REQUEST FOR CONFIDENTIAL CLASSIFICATION has been furnished by U.S. Mail this 8 day of September, 2003, to the following parties:

Mr. Jeffrey A. Small, Audit Manager  
Florida Public Service Commission  
Division of Auditing and Safety  
Hurston Tower North, Suite N512  
400 West Robinson Street  
Orlando, FL 32801-1775

Ms. Denise Vandiver, Chief of Auditing  
Florida Public Service Commission  
Division of Auditing and Safety  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

  
\_\_\_\_\_  
Martin S. Friedman

**JUSTIFICATION TABLE  
DOCKET NO. 020567-WS  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
LAKE UTILITY SERVICES, INC.**

Working Paper No.	Description	No. of Pages	Confidential?	Line/No. Column No.	Florida Statute 367.156(3) Subsection
8	Notes - Board of Directors' Minutes	1	Yes	Lines 2-3 Redacted Information Only  All of Lines 10-20  All of Line 36	(f)
Unnumbered	Florida Salary Changes (Memo on Retiring Employees)	1	Yes	Redacted Information Only (Names of officers and employees)	(f)