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(LICENSED IN TEXAS ONLY)

April 30, 2004
VIA HAND DELIVERY

Ms. Blanca Bayo
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: **Farmton Water Resources, LLC; Docket No. 021256-WU**
REQUEST FOR CONFIDENTIAL CLASSIFICATION
Our File No. 36029.01

COMMISSION
CLERK

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Dear Ms. Bayo:

Attached for filing on behalf of Farmton Water Resources, LLC are the original and fifteen copies of a Request for Confidential Classification. The **REQUEST FOR CONFIDENTIAL CLASSIFICATION** pertains to responses to Staff's Request for Production of Document No. 1 and several of the documents contained therein.

PLEASE NOTE THAT EXHIBIT "A" TO FARMTON'S REQUEST FOR CONFIDENTIAL CLASSIFICATION CONTAINS INFORMATION WHICH IS CONFIDENTIAL.

Exhibit "A" consists of a copy of the documents provided in response to the Staff's Request for Production of Document No. 1 with the confidential information highlighted. To facilitate the confidential handling of this confidential information, we have labeled it **CONFIDENTIAL** and enclosed it in a separate envelope labeled **"EXHIBIT A CONFIDENTIAL."** In addition, Exhibit "B" contains two copies of the documents provided in response to the Staff's Request for Production of Document No. 1 with the confidential information redacted.

A copy of the **REQUEST FOR CONFIDENTIAL CLASSIFICATION** without Exhibit "A" has been served to Jennifer Rodan, Esquire with the Commission's legal division.

If you have any questions regarding this transmittal, please contact me at my office number listed above.

RECEIVED & FILED

Sincerely,
ROSE, SUNDBSTROM & BENTLEY

[Signature]
FPSC-BUREAU OF RECORDS

[Signature]
F. Marshall Deterding
For The Firm

FMD/tms
cc: Jennifer A. Rodan, Esq.

Request
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Certificate to)
provide water service in Volusia)
and Brevard Counties by Farmton)
Water Resources, LLC)

Docket No. 021256-WU

**FARMTON WATER RESOURCES, LLC'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION**

Farmton Water Resources, LLC ("Farmton"), by and through its undersigned attorneys, and pursuant to Section 367.156, Florida Statutes and Rule 25-22.006(4), Florida Administrative Code, hereby files its Request for Confidential Classification with respect to documents produced in response to the Commission Staff's ("Staff") Request for Production of Document No. 1 in the above-referenced docket. In support of its Request for Confidential Classification, Farmton states as follows:

1. On March 19, 2004, Staff requested the following documents be produced by Farmton:

"Please provide a copy of all lease agreements between Miami Corporation, Farmton, and any other entity for the use of any land included in the territory Farmton proposes to serve, including but not limited to leases related to well sites, hunting rights, and farming rights."

In response to this request Farmton is required to provide several documents which are not related to, nor involving Farmton, but rather are between the corporate entity which owns all membership interest in Farmton Management, LLC, the entity that in turn owns all membership interest in Farmton Water Resources, LLC. While Farmton did not have or control the information requested in response to Staff's Request for Production of Document No. 1 (other than the lease between Farmton

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Water Resources, LLC and Miami Corporation), rather than argue the appropriateness of discovery of that information, Miami Corporation agreed to submit this requested information through Farmton, as long as it can be treated as “proprietary confidential business information.”

2. A copy of Farmton’s confidential document response to Staff’s Request for Production of Documents that has the confidential information highlighted, is enclosed in the envelope labeled “EXHIBIT A CONFIDENTIAL INFORMATION.”

3. The envelope labeled “EXHIBIT B” contains two copies of Farmton’s response to Staff’s Request for Production of Document No. 1 that has the confidential information redacted.

4. Because the only information redacted and requested for confidential treatment are the names of the lessees and the compensation paid for such leases a reference to line and page number is not necessary and in fact would not be useful to the Commission in evaluating this Request for Confidential Classification. To the extent the Commission determines that such a listing is necessary, the Utility will gladly provide that as a supplement to this pleading. However, the information which is requested for confidential treatment is clearly noted, not only in general terms as outlined herein, but also on the pages of the documents filed.

5. The names of the third party entities with whom Miami Corporation has entered into leases, and the compensation paid for such lease arrangements, is intended to be and has always been treated by Miami Corporation as private and confidential and has not been publicly disclose, (with the exception of the lease between Miami Corporation and the Miami Tract Hunt Club; and the proposed lease

between Miami Corporation and Farnton Water Resources, LLC, both of which have been disclosed only in this proceeding). For the sake of Miami Corporation's own privacy and property rights and those of the third party entities with whom those leasehold agreements have been entered into, this information has always been treated as confidential and proprietary. Miami Corporation and the lessees' business and personal operations will be harmed by the disclosure in that it will divulge persons with whom Miami Corporation has entered into contractual arrangements, contrary to the desires of both Miami Corporation and those lessees, and disclose the amount paid under such private contracts which may impact either or both parties' business operations and lessee/lessor arrangements in the future, and the compensation paid for such contractual rights. As such, both Miami Corporation and the lessees under those lease arrangements business operations will be harmed by this disclosure.

6. None of the redacted information which is contained in response to Staff's Request for Production of Documents No. 1 and requested for confidential treatment has any relation to transactions or cost allocations among the utilities and affiliated companies, and such records are not necessary to ensure that a utility's ratepayers do not subsidize non-utility activities.

7. The information provided in response to Staff's Request for Production of Document No. 1 is not owned or controlled by the entity proposed to be regulated under the certificate requested and would invade the privacy of both the unregulated Miami Corporation and the third party lessees under those agreements.

8. The information which has been redacted concerning the names of the

parties (with the exception of the lessee under the Miami Tract Hunt Club lease and all of the information contained within the lease between Farmton Water Resources, LLC and Miami Corporation) to such lease agreements, and the compensation paid for such lease agreements, has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court, or administrative body.

9. Farmton, pursuant to Rule 25-22.006, Florida Administrative Code, requests confidential protection for all of the redacted materials furnished in response to Staff's Request for Production of Document No. 1 for a period of not less than 18 months.

Respectfully submitted this 30th day of April, 2004.



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Counsel for Farmton Water Resources, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification has been furnished by Facsimile, U.S. Mail (denoted by *), or Hand Delivery (denoted by **) this 30th day of April, 2004, to:

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