



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

COMMISSION
CLERK

12 MAY 17 PM 2:41

RECEIVED-FPSC

DATE: May 17, 2012
TO: Ralph R. Jaeger, Senior Attorney, Office of the General Counsel
FROM: Patricia L. Brady, Regulatory Analyst IV, Division of Economic Regulation
RE: Docket No. 120014-WS, CAP Utilities, LLC's request for confidential treatment of Document No. 02090-12.

Staff has reviewed CAP Utilities, LLC's (CAP) request for confidential treatment of certain portions of Document No. 02090-12. The document is a copy of the Agreement of Purchase and Sale and Joint Escrow Instructions between Homeland Development Company, Inc., W.P. Utilities, Inc., and Roger E. Medema (the Sellers) and CAL-AM Properties, Inc. (the Buyer). In Docket 120014-WS, W.P. Utilities, Inc. is seeking authorization to transfer its utility facilities to CAP, whose affiliate is the Buyer.

The information in the Document No. 02090-12 that has been requested be held confidential are the purchase price, deposit amount, financing amount, financing rate, and the amounts of material damage and condemnation value that must not be exceeded prior to closing. CAP considers this information trade secrets and proprietary business information, the disclosure of which would impair the competitive interests of its affiliate when negotiating future purchases and in dealing with other third parties.

Staff concurs with CAP that the document represents what it purports to be and that the information requested to be held confidential is proprietary in nature and disclosure could impair the competitive business of the provider of the information pursuant to Section 367.156(3)(a), (d), and (e), Florida Statutes. Attached is a copy of the completed "Confidential of Certain Information" memo staff has returned to the Office of Commission Clerk.

Attachment

COM _____
 APA _____
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DOCUMENT NUMBER DATE

03144 MAY 17 2012

FPSC-COMMISSION CLERK



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-M-E-M-O-R-A-N-D-U-M-

DATE: 5/16/12

TO: Division of Economic Regulation, Office of Primary Responsibility

FROM: Office of Commission Clerk

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

Docket No(s): 120014-WS Document No(s): 03090-12

Description: CAP UTILITIES, LLC (Friedman) - (CONFIDENTIAL) Documents submitted in connection with responses to Commission's request for items to complete the application for authority to transfer facilities and Certificate Nos. 548-W and 478-S to CAP Utilities, LLC, in Palm Beach County

Source: CAP UTILITIES, LLC

The above-referenced confidential material was filed along with a request for confidential classification. Please check all applicable information and forward a copy to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation. Copies of your recommendation should also be filed with the Office of Commission Clerk and the Office of General Counsel.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;
 - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Patricia Brad on 5/17/12. I have provided one copy of the full recommendation to the Office of General Counsel and two copies to the Office of Commission Clerk for the docket file and processing of the confidential material.