

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of
PLURIS WEDGEFIELD, INC.
for an increase in water and wastewater
rates in Orange County, Florida

DOCKET NO. 120152-WS

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- claim of confidentiality
- notice of intent
- request for confidentiality
- filed by OPC

**PLURIS WEDGEFIELD, INC.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

For DN 08348-12, which
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PLURIS WEDGEFIELD, INC. (the "Utility"), by and through its undersigned counsel, files

this Request for Confidential Classification in relation to responses submitted in connection with the
Utility's responses to Staff's 3rd Data Request.

1. Pursuant to Section 367.156, Florida Statutes, this Commission has the authority to
classify certain material as proprietary confidential business information. This classification
exempts the material from public disclosure under Section 119.07(1), Florida Statutes.

2. The Utility requests that certain information provided to Staff in connection with
responses to Staff's 3rd Data Request be classified as proprietary confidential business information
under Section 367.156(2), Florida Statutes, and Rule 25-22.06, Florida Administrative Code (the
"Confidential Information"). If this request is granted, then the subject portions of said response to
will be exempt from Section 119.07(1), Florida Statutes. Attached hereto as Exhibit "A" is a
Justification Matrix providing a justification for the Utility's request. The information is enclosed
herein both in highlighted and redacted format.

3. The information produced in response to Staff's 3rd Data Request for compensation
information is intended to be and is treated by the Utility as private and confidential and has not
been disclosed externally and has been strictly controlled internally.

4. A portion of the information consists of employee's name and title, base salary,
benefits, taxes, pension information and total compensation. This information should be classified
as proprietary confidential business information because its disclosure would impair the Utility's

- COM _____
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- TEL _____
- CLK I

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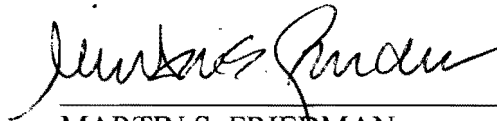
competitive interests, provide other utility companies information to lure employees away (thereby driving up salaries and rates), and create circumstances under which infighting and employee morale could be negatively affected. See Florida Power & Light Company et al. v. Public Service Commission, 31 So. 3d 860 (Fla. 1st DCA 2010). This Commission has routinely protected salary information since this opinion was rendered.

5. Requiring the disclosure of each employee's compensation information violates each employee's right to privacy under Article I, Section 23 of the Florida Constitution.

WHEREFORE, PLURIS WEDGEFIELD, INC. prays for the entry of an order treating the information identified in this Motion as confidential and exempt from disclosure.

Respectfully submitted this 27th day of
December, 2012, by:

Sundstrom, Friedman & Fumero, LLP
766 North Sun Drive, Suite 4030
Lake Mary, FL 32746
Phone: (407) 830-6331
Fax: (407) 830-8522
mfriedman@sfflaw.com



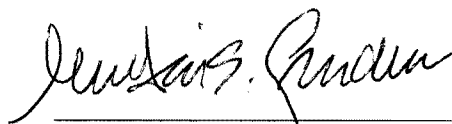
MARTIN S. FRIEDMAN
Florida Bar No.: 0199060
For the Firm

CERTIFICATE OF SERVICE
DOCKET NO. 120152-WS

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification has been sent to the PSC Clerk by hand-delivery and furnished by U.S. Mail to the following parties this 27th day of December, 2012:

Stephen Reilly, Associate Public Counsel
Office of Public Counsel
C/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Michael Lawson, Senior Attorney
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



MARTIN S. FRIEDMAN
For the Firm

JUSTIFICATION MATRIX

<p><u>Location</u> (Specific request w/page number)</p>	<p><u>Justification</u> <i>Please note: All information for which the Utility requests confidential treatment has been kept confidential by the Utility, and intends to keep such information confidential.</i></p>
<p>Request Response 1 c. (All of amounts in the columns below the employees' names in the first table and those amounts beside the employees' names in the second table, and those salary amounts for Mr. Winters in the last paragraph)</p>	<p>§367.156(3)(d) Disclosure of compensation data, overtime data and salary increase data would impair the ability of the Utility to contract for employees on favorable terms.</p> <p>§367.156(3)(e) Disclosure of the compensation data would impair the Utility's competitive interests as described in <u>Florida Power & Light Company et al. v. Public Service Commission</u>, 31 So. 3d 860 (Fla. 1st DCA 2010). The Utility keeps this information strictly confidential to prevent other utilities from stealing their employees and to prevent lowered morale and infighting among employees who have the same position but varying wages.</p> <p>Article I, Section 23 of the Florida Constitution. Disclosure of the information would invade the privacy rights of the employee.</p>