

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of HYDRATECH) DOCKET NO. 880882-WU
UTILITIES, INC. for increase in) ORDER NO. 21701
water rates in Martin County) ISSUED: 8-8-89
_____)

PROTECTIVE ORDER

On July 25, 1989, Hydratech Utilities, Inc. (Hydratech) served responses to the Commission Staff's Second Set of Interrogatories and First Requests for Production of Documents. Parts of Hydratech's responses consist of or pertain to federal income tax returns of individual shareholders of Hydratech. Accordingly, Hydratech requested that this information be afforded specified confidential treatment. Hydratech contends that the information is proprietary, confidential information to the individual shareholders, that at no time will it cease to be confidential and that disclosure of this material to the public will likely result in annoyance and embarrassment to the shareholders. Hydratech, therefore, requests that the Commission issue an order protecting the shareholders from public disclosure of their tax returns.

It appears that public disclosure of the above-mentioned information may be detrimental to the individual shareholders of Hydratech. In addition, it should be noted that federal income tax returns and tax return information are considered confidential under Section 6103, Internal Revenue Code. Hydratech's motion for a protective order is, therefore, granted. The information contained in Hydratech's responses to Interrogatories Nos. 24 through 26 and Requests for Production No. 3 through 5 shall, accordingly, be restricted to this Commission and its Staff and shall be returned to Hydratech upon the conclusion of this proceeding.

Upon consideration, it is

ORDERED by Commissioner Thomas M. Beard, as Prehearing Officer, that the request by Hydratech Utilities, Inc. for a protective order is hereby granted, as set forth in the body of this Order. Any party adversely affected by this ruling shall file a protest thereto within fourteen (14) days of the date of this Order. It is further

ORDERED that the information contained in the utility's responses to Interrogatories Nos. 24 through 26 and Requests

DOCUMENT NUMBER-DATE

07985 AUG -8 1989

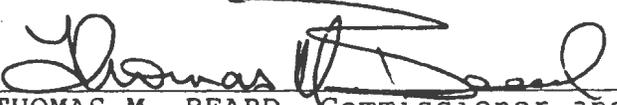
FPSC-RECORDS/REPORTING

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for Production Nos. 3 through 5 shall be restricted to this Commission and its Staff. It is further

ORDERED that, upon the conclusion of this proceeding, the above-mentioned materials shall be returned to Hydratech Utilities, Inc.

By ORDER of Commissioner Thomas M. Beard this 8th day of AUGUST, 1989.


THOMAS M. BEARD, Commissioner and
Prehearing Officer

RJP