

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for interim and ) DOCKET NO. 940109-WU  
permanent rate increase in ) ORDER NO. PSC-94-0690-PCO-WU  
Franklin County by ST. GEORGE ) ISSUED: June 7, 1994  
ISLAND UTILITY COMPANY, LTD. )  
\_\_\_\_\_ )

ORDER GRANTING MOTION  
FOR PROTECTIVE ORDER

On February 11, March 4, and March 25, 1994, the Office of Public Counsel (OPC) served its first, second, and third requests for production of documents (PODs), respectively, upon St. George Island Utility Company, Ltd. (SGI).

On May 23, 1994, SGI filed a motion for a protective order. SGI requests that the Commission issue an order protecting the following documents, which SGI claims are being produced pursuant to various OPC requests, from public disclosure:

1. All corporate income tax returns for Armada Bay Company and ABC Management for the years 1990 through 1993;
2. All income tax returns and associated workpapers for SGI or Leisure Properties, Ltd. for the years 1978 through 1986;
3. All income tax returns for Leisure Properties, Ltd., G. Brown & Company, Gene D. Brown, P.A., Leisure Development, Plantation Realty, St. George Plantation, Inc., the Tallahassee Yacht Club, Inc., and Covington Properties, Inc. for the years 1990 through 1993;
4. Invoices for the preparation of income tax returns for companies with which Mr. Brown is associated or affiliated;
5. Profit and loss schedules maintained by Leisure Properties, Ltd. for installment land sales for the years 1976 through 1980; and
6. The general ledgers for Leisure Properties, Ltd. for the years 1976 through 1980.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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SIGI argues that the materials are proprietary confidential information and that they should be protected from disclosure while in OPC's possession. SIGI also states that it has consulted with OPC and that OPC does not object to a protective order. No other party has voiced any objection to SIGI's motion.

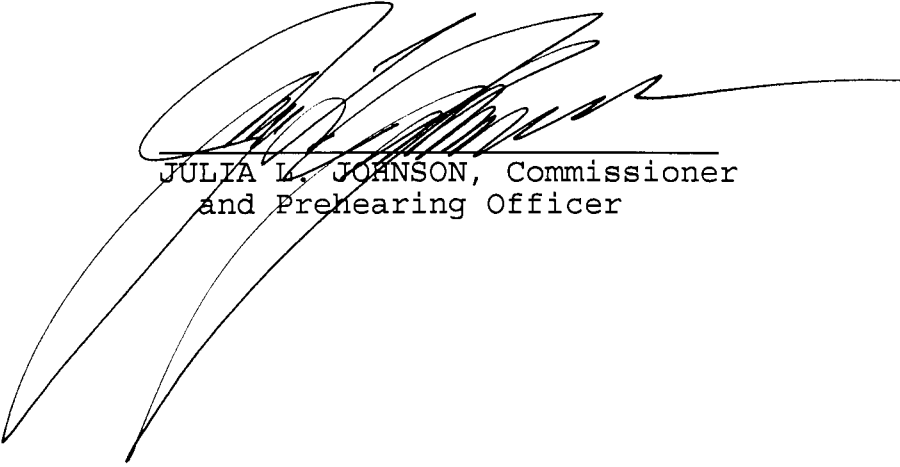
Upon consideration, the materials in question appear to be proprietary confidential information. Accordingly, it seems appropriate to grant SIGI's request for a protective order. OPC is, therefore, directed to maintain the confidentiality of the above-described documents while the documents remain in its possession. This shall not apply, however, to Commission Staff, who may, with OPC's consent, review any materials gathered by OPC in connection with this case.

It is, therefore,

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that St. George Island Utility Company, Ltd.'s motion for protective order is granted, as set forth in the body of this Order. It is further

ORDERED that the Office of Public Counsel shall protect the documents described hereinabove from public disclosure while the documents are in its possession.

By Order of Commissioner Julia L. Johnson, as Prehearing Officer, this 7th day of June, 1994.



JULIA L. JOHNSON, Commissioner  
and Prehearing Officer

( S E A L )

RJP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

M E M O R A N D U M

June 3, 1994

TO: COMMISSIONER JULIA L. JOHNSON, PREHEARING OFFICER  
FROM: DIVISION OF LEGAL SERVICES (PIERSON) *RJP*  
RE: DOCKET NO. 940109-WU - Petition for interim and permanent  
rate increase in Franklin County by ST. GEORGE ISLAND  
UTILITY COMPANY, LTD.

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Attached is an Order Granting Motion for Protective Order, for  
your review and signature.

RJP/dl

Attachment

I: 940109-O.RJP

MEMORANDUM

June 7, 1994

**RECEIVED**  
JUN 7 1994

11:58 a.m.  
FPSC-RECORDS / REPORTING

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (PIERSON) *R*  
RE: DOCKET NO. 940109-WU - Petition for interim and permanent  
rate increase in Franklin County by ST. GEORGE ISLAND  
UTILITY COMPANY, LTD.

*0690 - PCO*

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Attached is an Order Granting Motion for Protective Order to be issued in the above-referenced docket. (Number of pages in Order - 3)

RJP/dl

Attachment

cc: Division of Water and Wastewater (Willis, Amaya, Crouch, Merchant, Moniz, Rasberry, Williams)

I: 940109-O.RJP

**MUST GO TODAY**