

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the)	DOCKET NO. 861201-WS
level of water and sewer earnings)	
of Hydratech Utilities, Inc.,)	ORDER NO. 20175
in Martin County.)	
<hr/>		ISSUED: 10-17-88

ORDER REGARDING CONFIDENTIALITY

Hydratech Utilities, Inc., has requested that the personal financial statements of its principals, Messrs. Keathley and Bobo, be classified as specified confidential material pursuant to Rule 25-22.006, Florida Administrative Code. These documents were filed in order to assist the Commission in evaluating the utility's motion to have a potential refund secured by the unconditional and irrevocable guarantees of the utility's principals.

Although, personal financial statements are not included in the examples of proprietary confidential business information listed in s. 367.156(3), Florida Statutes, I believe the documents in question still qualify for specified confidential classification under Rule 25-22.006(4)(a), Florida Administrative Code. That subsection of the rule provides for confidential classification of documents which do not fit the statutory examples, but nevertheless could harm a utility or its rate payers, if publicly disclosed.

I find that public disclosure of the personal financial information in the documents could adversely impact on Messrs. Keathley's and Bobo's other business ventures, either by embarrassment or by placing them at a competitive disadvantage, and that such a weakening of their financial position could indirectly harm the utility or the rate payers. Therefore, I shall grant the utility's request.

In consideration of the above, it is

ORDERED that the personal financial statements of Terry Keathley and Gerald Bobo, filed in Docket No. 861201-WS, are hereby classified as specified confidential material and are exempt from the disclosure requirements of s. 119.07(1), Florida Statutes. It is further

ORDERED that if a protest is filed within 14 days of the date of this order it will be resolved by the appropriate Commission panel pursuant to Rule 25-22.006(3)(d), Florida Administrative Code.

By ORDER of Commissioner John T. Herndon, as Prehearing Officer, this 17th day of October, 1988.

John T. Herndon
JOHN T. HERNDON, Commissioner
and Prehearing Officer

(S E A L)

WJB

2003G

DOCUMENT NUMBER-DATE

10944 OCT 17 1988

F-PSC-RECORDS/REPORTING