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November 18, 2009

VIA FEDEX

Office of Commission Clerk
 2540 Shumard Oak Boulevard
 Tallahassee, FL 32399-0850

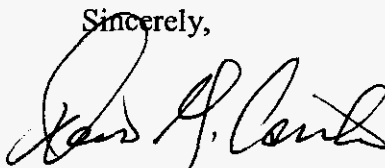
RECEIVED-FPSC
 09 NOV 19 PM 2:29
 COMMISSION
 CLERK

Re: **REQUEST FOR CONFIDENTIAL CLASSIFICATION**
Docket No. 090478-WS (Skyland Utilities)

Dear Clerk:

Enclosed for Filing in this matter, please find an original and seven (7) copies of a Request for Confidential Classification in this matter, along with two (2) public redacted versions and an envelope marked "Confidential" containing the confidential materials. If there are any problems with this request, please contact Michael Minton or myself at (772) 464-7700.

Sincerely,



Dennis G. Corrick

DGC:av
 Enclosures

- COM _____
 - APA _____
 - ECR** 5 _____
 - GCL 1 _____
 - RAD _____
 - SSC _____
 - ADM _____
 - OPC _____
 - CLK 1 _____
- Cc: Michael D. Minton, Esq. (via e-mail) (w/encl.)
 Ronald Edwards (via e-mail) (w/encl.)
 Tony Isaacs (via e-mail) (w/encl.)
 Gerald Hartman (via e-mail) (w/encl.)

F0104165v1

DOCUMENT NUMBER-DATE
 11471 NOV 19 09

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Skyland Utilities, LLC
to operate a Water and Wastewater Utility
in Pasco and Herando
Counties, Florida.

Docket No. 090478-WS

Filed: _____ 2009

REQUEST FOR CONFIDENTIAL CLASSIFICATION

SKYLAND UTILITIES, LLC ("Skyland" or "the Company"), by and through its undersigned counsel, and pursuant to Section 367.156, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests confidential classification of certain materials provided here within response to staff request . Attached to this Request is an envelope marked "CONFIDENTIAL" containing the sole copy of the confidential information being provided. Two public, redacted versions of the confidential information are also provided with this Request. In support of this Request, Skyland states as follows:

1. Subsection 367.156(1), Florida Statutes, provides that upon request, records received by the PSC which are "found by the commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s.119.07(1)."

2. "Proprietary confidential business information" is defined as meaning "information, regardless of form or characteristics, which is owned or controlled by the [] Company, is intended to be and is treated by the [] Company as private in that the disclosure of the information would cause harm to the ratepayer or the Company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public." Section 367.156(3), Florida Statutes.

3. Proprietary confidential business information includes, but is not limited to, information concerning:

- (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 the information;

(f) employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

Section 367.156(3), Florida Statutes.

4. The confidential portions of the information being provided to the Commission fall within these statutory definitions, and therefore constitute proprietary confidential business information entitled to protection under Section 367.156(3) and Rule 25-22.006.

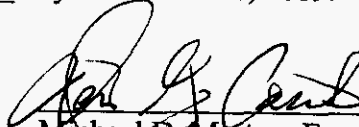
5. **Attachment 1** to this Request consists of financial statements for Evans Properties, Inc. ("Evans"), the ultimate parent of the Company. As Evans is privately-held, this information has not been released to the public, and is treated by Evans as private, confidential information, the release of which could have a severe impact on business operations and private negotiations. The subject information is therefore proprietary confidential business information and is entitled to protection under Section 367.156(3) and Rule 25-22.006.

6. For the same reason set forth herein in support of its request for confidential classification, Skyland also moves the Commission for entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the confidential information from public disclosure.

7. Pursuant to Section 367.156(4), Florida Statutes, and Rule 25-22.006(9), Florida Administrative Code, Skyland requests that the information described above as proprietary confidential business information be protected from disclosure for a period of at least 18 months and all information should be returned to the company as soon as the information is no longer necessary for the Commission to conduct its business.

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted this 18th day of November, 2009.



Michael D. Minton, Esq.

Dennis G. Corrick, Esq.

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Attorneys for Skyland Utilities, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished via U.S. Mail
this 18th day of November, 2009 to:

Geoffrey Kirk, Esq.
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DAVID E. KLEMENT

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: November 19, 2009

TO: Dennis G. Corrick, Dean Mead

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 090478 or, if filed in an undocketed matter, concerning certain material provided within response to staff's request, and filed on behalf of Skyland. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.

DOCUMENT NUMBER-DATE
11472 NOV 19 08
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