

Eric Fryson

From: Lou Ann West [louann@useppa.com]
Sent: Tuesday, February 07, 2012 11:20 AM
To: Filings@psc.state.fl.us
Subject: Revised Confidential Classification
Attachments: FPSCFEB7.pdf

Attn: Ann Cole, Attached are the corrected confidential classification papers. I apologize that this has taken so long today. Thank you, Lou Ann West, Useppa Island Utilities Co., Inc.

Lou Ann West

Comptroller
Useppa Island Club
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Please think about resource conservation before you print this message

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2/7/2012

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00739 FEB-7 2012
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February 7th, 2012

Ann Cole
Florida Public Service Commission

RE: Useppa Island Utilities Co., Inc
Docket No. 110260-WS, Audit Control No. 11-266-4-1
Staff Assisted Rate Case, TYE June 30,2011

Enclosed please find the corrected request for Confidential Classification.

Sincerely,

s/Lou Ann West

Lou Ann West, Comptroller
Useppa Island Utilities Co. Inc.

**USEPPA ISLAND UTILITIES CO., INC.
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Useppa Island Utilities Co., Inc. (the "Utility"), by and through its undersigned counsel, files this Request for Confidential Classification in relation to documents submitted in connection with the Utility's responses to Staff Audit in connection with Docket No. 110 260-WS.

1. Under 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 auditors in connection with Docket No. 110 260-WS 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 Docket No. 110 260-WS 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 Audit 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 consist of employee's name and title, base salary, benefits, overtime, raises, taxes, pension information and total compensation. This

information should be classified as proprietary confidential business because its

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disclosure would impair the Utility's competitive interest, provide other utility companies information to lure employees away (thereby driving up salaries and rates), and create circumstances under which infighting employee morale could be negatively affected.

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.

6. Additionally, the information consists of confidential audited financial reports and Audit Staff's notes regarding these reports. This information falls squarely within the definition of "Proprietary Business Information" pursuant to Section 367.156(3)(b), Florida Statutes and/or Section 367.156(3)(b), Florida Statutes.

7. Finally, the information consists of loan and dept information that falls squarely within the definition of "Proprietary Business Information" pursuant to Section 367.156(3)(d), Florida Statutes and/or Section 367.156(3)(e), Florida Statutes.

WHEREFORE, USEPPA ISLAND UTILITIES CO., INC. prays for the entry of an order treating the information identified in this Motion as confidential and exempt from disclosure.

Respectfully submitted on this 19TH day of
January, 2012 by:

THOMAS E. MOOREY, ATTORNEY
1430 Royal Palm Sq. Blvd., Ste. 105
Fort Myers, FL 33919
Phone: 239-275-5005
Florida Bar No. 128626



Thomas E. Moorey, Attorney

Exhibit "A"

JUSTIFICATION MATRIX

Location	Justification
33-4 33-4 PP 1, 2, 3 33-5 Pg. 1, 2, 8 45-1 Pages 1-6 45-1/1 Pages 1,2,3 31-2	<p>Sections 367.156(3)(b)(d)(e)</p> <p>These documents contain highly sensitive information about the Utility's affiliated Parent Company's Financial position, debt structure and operating results. This information includes confidential financial reports which fall squarely within definition of "Proprietary Business Information" of Useppa Inn & Dock Company, Ltd...</p> <p>Useppa Inn & Dock Company, Ltd. has kept and intends to keep this information confidential.</p>
Location	Justification
31-2, 43-3 43-3 pg. 1 43-3 1-1 43-3 1-6 Pgs. 1,2,3,4,5,6,8 43-3 43-3 1-7 Pg 1,2,3,4,5,6,	<p>Section 367.156(3)(d)(e)</p> <p>Disclosure of compensation data, overtime and salary increase data would impair the ability of the Utility to contract for employees on favorable terms</p> <p>Disclosure of the compensation data would impair the Utility's competitive interests. The Utility keeps this information strictly confidential to prevent other utilities from stealing their employees and to prevent lowered moral and infighting among employees who have the same position but varying wages.</p>

CERTIFICATE OF SERVICE
DOCKET NO. 110 260-WS

I HEREBY CERTIFY that a copy of the foregoing Request for Confidential Classification has been sent to the PSC Clerk by FedEx and was furnished by U.S. mail to:

Stephen Reilly, Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison St., Room 812
Tallahassee, FL 32399-1400

Jennifer Crawford, Esq.
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

on JAN 19, 2012.



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