

REDACTED

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Consolidated Services)
of Hendry & Collier, LP, for original water and)
wastewater certificates in Hendry and Collier)
Counties, Florida.)

Docket No.

130105-WS

COMMISSION
CLERK

13 APR 29 PM 1:54

RECEIVED-FPSC

REQUEST FOR CONFIDENTIAL CLASSIFICATION

Consolidated Services of Hendry & Collier, LP, ("Consolidated Services"), 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 a redacted version of the document for which confidentiality is sought. As this document has not been requested by the Commission or staff, subject to an inquiry or otherwise, the original will be retained by counsel for Consolidated Services until this Request is ruled upon. Nothing in the confidential document itself is relevant to whether or not the requested confidentiality should be afforded. If confidentiality is granted, the unredacted document will be filed immediately consistent with the Commission's rules and any order on this Request.

In support of this Request, Consolidated Services 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

COM
AFD
APA
ECO
ENG
GCL
IDM
TEL
CLK

DOCUMENT NUMBER-DATE

02264 APR 29 2013

FPSC-COMMISSION CLERK

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 proposed to be provided to the Commission falls within these statutory definitions, and therefore constitutes proprietary confidential business information entitled to protection under Section 367.156(3) and Rule 25-22.006.

5. The document for which confidential classification is sought is a financial statement for Consolidated Citrus Limited Partnership ("Consolidated Citrus"), the ultimate parent of the company. As Consolidated Citrus is privately-held, this information has not been released to the public, and is treated by Consolidated Citrus 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. Pursuant to Section 367.156(4), Florida Statutes, and Rule 25-22.006(9), Florida Administrative Code, Consolidated Services 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.

Respectfully submitted this 29th day of April, 2013, by:

SUNDSTROM, FRIEDMAN & FUMERO LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
(850) 877-6555/(850) 656-4029 FAX



JOHN L. WHARTON
ATTORNEY FOR CONSOLIDATED SERVICES

