

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

M-E-M-O-R-A-N-D-U-M

RECEIVED FPSC
15 AUG 10 PM 1:38
COMMISSION CLERK

DATE: August 10, 2015
TO: Division of Engineering, Office of Primary Responsibility
FROM: OFFICE OF COMMISSION CLERK
RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 150166-WU DOCUMENT NO: 04366-15
DESCRIPTION: Black Bear (Rendell) - (CONFIDENTIAL) Personal financial statements of individual owners of Black Bear, in response to staff's deficiency request letter dated 9/19/14.
SOURCE: Black Bear Waterworks, Inc.

The above confidential material was filed along with a request for confidential classification (DN 04365-15). Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (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 information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Cecilia Galloway on 8/10/15, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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-M-E-M-O-R-A-N-D-U-M-

DATE: August 10, 2015
TO: Margo Leathers, Staff Attorney, Office of the General Counsel
FROM: Cissy Galloway, Public Utility Analyst, Division of Accounting & Finance *CG*
RE: Confidential Information contained in filing requirement - Document No. 04366-15
in Docket No. 150166-WU.

Pursuant to Section 367.156 of the Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Black Bear Waterworks, Inc. (Black Bear) requests confidential classification of the entire document, referenced above, Document No. 04366-15.

Staff has reviewed Black Bear's confidentiality request and agrees that the nature of the information meets the requirements set forth in Section 367.156 Florida Statutes. Therefore, staff recommends that the request for confidentiality of information included in Document No. 04365-15 be approved.

Black Bear Waterworks, Inc.

July 8, 2015

Office of Commission Clerk
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

Check received with stamp and forwarded
to Fiscal for deposit. Please to forward
deposit information to Records.

Initials of person who forwarded check


15 JUL 13 AM 9:24
RECEIVED FPSC
COMMISSION
CLERK

Re: Application of Black Bear Waterworks, Inc. for Approval of Transfer of Black Bear
Reserve Water Corporation's Water System in Lake County – Request for Confidential
Classification Pursuant to Section 366.093, F.S.

Dear Commission Clerk,

Black Bear Waterworks, Inc. (BWW) pursuant to Section 366.093, Florida Statutes (FS), and Rule 25-22.006(3), Florida Administrative Code, requests confidential classification of its response to Staff's deficiency request letter dated September 19, 2014. Specifically, the Staff is requesting the personal financial statements of the individual owners of BWW, the disclosure of which would harm the privacy interests of individual persons and subject those persons to other harm including potential identity theft and could provide unauthorized access to third parties.

The personal financial statements are those of the individual owners and not of a related company and/or parent corporation. This information should be considered proprietary confidential information in that is (i) intended to be and is treated as private, confidential information by the Company (BWW), (ii) because disclosure of the information would cause irreparable harm to the Company's business operation, and (iii) the information has not been voluntarily disclosed to the public. Again, this personal financial information is of individual persons who own the utility, and not of those of a regulated utility or related business. This personal financial information will include such information as, (a) personal residences, (b) personal bank accounts, (c) personal vehicles, (d) personal investments, (e) personal retirement funds and/or investments, (f) personal indebtedness, (g) personal mortgages, etc. This information is not commonly available for public disclosure on a personal individual nature.

Black Bear Waterworks, Inc. respectfully submits that the requested personal financial information of individual persons, not businesses, is not contemplated to be covered under Section 366.093, FS. Specifically, Section 366.093(1), FS, states:

366.093 Public utility records; confidentiality.—

- (1) The commission shall continue to have reasonable access to all public utility records and records of the utility's affiliated companies, including its parent company, regarding transactions or cost allocations among the utility and such affiliated companies ... (Emphasis added)

As stated previously, the information requested is of a personal individual basis, and not of a company and/or business. The disclosure of personal individual financial information would have a chilling effect on future potential acquisitions of troubled water and wastewater utilities in the State of Florida by competent, experienced persons with the technical and financial

Black Bear Waterworks, Inc.
Request of Confidential Classification
July 8, 2015

wherewithal to provide continued quality of service the customers expect and are deserving thereof.

Wherefore, BWW respectfully requests that the staff requested personal financial statements of its individual owners be granted confidential classification and treated accordingly.

The personal financial information is enclosed in a sealed red envelope.

Respectfully Submitted,



Troy Rendell
Manager of Regulated Utilities
//For Black Bear Waterworks, Inc.