

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for an increase in water and
wastewater rates in Charlotte, Highlands, Lake,
Lee, Marion, Orange, Pasco, Pinellas, Polk,
and Seminole Counties by Utilities, Inc. of Florida

Docket No. 160101-WS

**UTILITIES, INC. OF FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Utilities, Inc. of Florida ("Utility"), by and through its undersigned counsel, and pursuant to Section 367.156, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, files this Request for Confidential Classification in relation to certain documents responsive to Staff's Seventh Set of Interrogatories (No. 172) in connection with the above-referenced Docket.

1. Pursuant to 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 employee salary information provided to the Staff in response to Staff's discovery request in the above-referenced Docket be classified as proprietary confidential business information under Section 367.156(2), Florida Statutes, and Rule 25-22.006, Florida Administrative Code ("Confidential Information"). If this request is granted, then the subject portions of the documents produced 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 attached hereto both in highlighted and redacted format.

3. Staff in its Seventh Set of Interrogatories, No. 172, has requested that the Utility provide the hourly rate for certain employees of UI who performed assistance in this rate case. The Utility treats employee salary information as strictly confidential. This information should be

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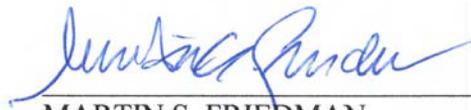
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classified as proprietary confidential business information because its disclosure would impair the Utility's competitive interests, provide other utility companies information to lure employees away (thereby driving up salaries and rates), and create circumstances under which infighting and employee morale could be negatively affected. See, *Florida Power & Light Company et al. v. Public Service Commission*, 31 So. 3d 860 (Fla. 1st DCA 2010). Further, 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.

WHEREFORE, Utilities, Inc. of Florida requests this Commission enter an order treating the information identified in this Request as confidential and exempt from disclosure.

Respectfully submitted this 6th day of March, 2017 by:

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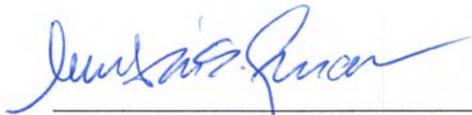
MARTIN S. FRIEDMAN
For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification with redacted documents has been furnished by E- Mail to the following parties this 6th day of March 2017:

Erik Sayler, Associate Public Counsel
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MARTIN S. FRIEDMAN
For the Firm

Exhibit "A"
JUSTIFICATION MATRIX

Location (Document name and location of information)	Justification
<p><u>Schedule of In-House Staff</u></p> <p>The numbers under the columns headings "Hours" and "Rate"</p>	<p>§367.156(3)(d) Disclosure of salary data would impair the ability of the Utility to contract for employees on favorable terms.</p> <p>§367.156(3)(e) Disclosure of the compensation data would impair the Utility's competitive interests as described in <u>Florida Power & Light Company et al. v. Public Service Commission</u>, 31 So. 3d 860 (Fla. 1st DCA 2010). The Utility keeps this information strictly confidential to prevent other utilities from stealing their employees and to prevent lowered morale and infighting among employees who have the same position but varying wages.</p> <p>Article I, Section 23 of the Florida Constitution. Disclosure of the information would invade the privacy rights of the employee.</p>

Employee

Michael Cartin-South Carolina staff
Bob Hunter-South Carolina staff
Nicole Winans-Nevada Staff

Work Performed

Assisted with Preparation of B-12 Schedules in MFRs
Assisted with Preparation of B-12 Schedules in MFRs
Assisted with gathering information for PSC Audit Requests

<u>Hours</u>	<u>Rate</u>	<u>Total</u>
		\$ 1,210
		\$ 1,060
		\$ 14,504