BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for increase in water and
wastewater rates in Charlotte, Highlands,   DOCKET NO. 160101-WS
Lake, Lee, Marion, Orange, Pasco, Pinellas,
Polk, and Seminole Counties by Utilities, Inc.
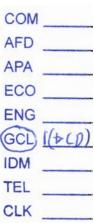of Florida

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UTILITIES INC.'S MOTION FOR PROTECTIVE ORDER WITH REGARD TO CONFIDENTIAL DOCUMENTS

[With justification Matrix Attached]

UTILITIES, INC. OF FLORIDA ("Utility" or "UIF") by and through its undersigned

counsel, and pursuant to Rule 25-22.006(6), Florida Administrative Code, files this Motion for

Protective Order with regard to confidential documents responsive to Office of Public Counsel's

("OPC") following discovery ("Discovery Requests"):

- 1st Production of Documents, No. 23
- 1st Production of Documents, No. 24
- 1st Interrogatories, No. 29
- 1st Interrogatories, No. 30

1.   UIF has provided to OPC through these Discovery Requests, information regarding

compensation policies and actual compensation of employees of Utilities, Inc. The Utility treats

employee compensation policy and actual compensation information as strictly confidential. This

information should be 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

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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. This Commission has consistently recognized the confidentiality of salary information on numerous occasions. See, for example, Order Nos. PSC-14-0125-CFO-WS and PSC-14-0060-CFO-WS.

2. The Confidential Information is proprietary confidential business information. Under Section 367.156, Florida Statutes, this Commission has the authority to classify certain material as proprietary confidential business information thereby exempting the material from public disclosure under Section 119.07(1), Florida Statutes.

3. UIF will provide the Commission, Staff and OPC with a Justification Matrix along with highlighted and redacted copies.

WHEREFORE, UTILITIES, INC. OF FLORIDA requests this Commission issue Protective Order against public disclosure of the Confidential Information provided by the Utility in response to OPC's Discovery Requests as identified above, and that pursuant to Rule 25-22.006(8), F.A.C., the Commission take reasonable precautions to segregate the Confidential Information in the record and otherwise protect its integrity.

> Respectfully submitted this 5th day of April, 2017.
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> Martin S. Friedman, Esquire
> For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by

E-mail to the following parties this 5th day of April, 2017:

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3

Exhibit "A"
JUSTIFICATION MATRIX

Location (Document name and location of information)	Justification
Employee Year-End Pay Stubs Page 1 (left side) – Employee address, filing status and account number for direct deposit. Page 1 (right side) – All amounts under the columns titled "Rate", "Current ($)" and "YTD ($)". Page 2 - All amounts under the columns titled "Current ($)" and "YTD ($). **V 1-2016 Salary Increases (excel document)** All amounts under columns H, I, N, P, Q, R, T, U, V, W, and X. **V 1-2016 Salary Increases – Shared Services (excel document)** All amounts under columns H, I, N, P, Q, R, T, U, V, W, and X.	§367.156(3)(d) Disclosure of salary data would impair the ability of the Utility to contract for employees on favorable terms. §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. Article I, Section 23 of the Florida Constitution. Disclosure of the information would invade the privacy rights of the employee.
Corix Executive Long Term performance Plan (Pre 2015) Page 2 – All paragraphs under "Establishment and Objectives". Page 2 - All paragraphs under "Eligible Executives". Page 2 & 3 – All paragraphs under "ELTP Grants". Page 3 & 4 - All paragraphs under "Measures for Payment Amount". Page 4 - All paragraphs under "Payments". Page 4 & 5 - All paragraphs under "Special Events". Page 5 - All paragraphs under "General".	These are Compensation Plans developed by Corix, the parent of UIF, and are proprietary to the Company. Further, this information is kept strictly confidential to prevent other companies from stealing their employees by having confidential information regarding how UIF employees are compensated.

EIP Designed for Employees Page 2 – All paragraphs under "We Asked Some Questions". Page 3, 4 & 5 – All paragraphs under "2016 EIP: Key New Components" Page 6 – All paragraphs under "What are the Gateposts?" Page 7 – All paragraphs under "Additive Plan". Page 8 – All paragraphs under "How Does EIP Work?". Page 9 – All paragraphs under "How Does the Additive Plan Payout?". Page 10 – All paragraphs under "What's Next?".	