

HC WATERWORKS, INC.

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FPSC - COMMISSION CLERK

January 7, 2020

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

Re: Docket No. 20190166-WU – Application for increase in water rates in Highlands County by HC Waterworks, Inc. – Request for Confidential Classification

Dear Commission Clerk,

HC Waterworks, Inc. (HCWW) pursuant to 367.156(3), Florida Statutes (F.S.), and Rule 25-22.006(3) & (4), Florida Administrative Codes, requests confidential classification of its response to Staff's Second Data Request Number 3 and Number 5. This information is contained in the enclosed red envelope on a USB.

The information being requested in Request No. 3 is "proprietary confidential business information" within the meaning of Section 367.156(3), F.S. This requested information at issues relates to contractual data, such as operations and contract terms, the disclosure of which would impair the efforts of U.S. Water Services Corporation (a non-regulated corporation) to negotiate contractual services contracts on favorable terms. The information at issue relates to the competitive interests of U.S. Water Services Corporation and its clients, the disclosure of which would impair their competitive businesses. Accordingly, such information constitutes "proprietary confidential business information" which is exempt from disclosure under the Public Records Act pursuant to Section 367.156(2), F.S.

This information should be considered proprietary confidential information in that is (i) intended to be and is treated as private, confidential information by the U.S. Water Services, (ii) because disclosure of the information would cause irreparable harm to U.S. Water Services' business operation, and (iii) the information has not been voluntarily disclosed to the public.

Wherefore, HCWW respectfully request that the requested third party contracts be granted confidential classification and treated accordingly. HCWW requests that the information be classified as "proprietary confidential business information" within the meaning of Section 367.156(3), F.S. that, the information remain confidential for a period of at least 18 months as provided in Section 367.156(4), F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

The information provided in response to Request No. 5 contains the billing register and customer information. The information being requested is confidential within the meaning of Section 367.156(3), F.S. This information is treated by HCWW as strictly confidential because this information contains customer-specific proprietary information, the disclosure of which would

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harm the privacy interests of individual customers and subject those customers to other harm, including potential identity theft. Disclosure of customers' personal account numbers and phone numbers could provide unauthorized access to third parties; thus, potentially harming HCWW and its customers.

Section 367.156, Florida Statutes, authorizes the Commission to keep confidential and exempt from Section 119.07(1), Florida Statutes, "proprietary confidential business information." The Commission has consistently ruled that detailed customer-specific information such as customer name and address are confidential proprietary information, "the disclosure of which would harm the privacy interest of individual customers and deter customers from contacting the Company in the future if such information is subject to public disclosure. See, e.g., In re: Review of Florida Power Corporation's earnings, including effects of proposed acquisition of *Florida Power Corporation by Carolina Power & Light*, 02 F.P.S.C. 3:215, Docket No. 000824-E1, Order No. PSC -02-0356-CFO-E1 (Mar. 15, 2002). Similarly, the Commission has found that disclosure of a utility customer's "personal account numbers could provide unauthorized access to third parties; thus, potentially harming [the utility's] customers." See In re: Request for confidential treatment of certain information contained in draft report setting forth a review of customer deposit procedures of Florida's five investor-owned utilities, by *Progress Energy Florida, Inc.*, 07 F.P.S.C. 6:324, Docket No. 070245-EIY Order No. PSC-07- 0552-CFO-E1 (June 29, 2007).

This information should be considered proprietary confidential information in that is (i) intended to be and is treated as private, confidential information, (ii) because disclosure of the information would cause irreparable harm to HCWW's business operation and its customers, and (iii) the information has not been voluntarily disclosed to the public.

Wherefore, HCWW respectfully request that the requested information be granted confidential classification and treated accordingly. HCWW request that the information be classified as "proprietary confidential business information" within the meaning of Section 367.156(3), F.S. that, the information remain confidential for a period of at least 18 months as provided in Section 367.156(4), F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

The requested information has been saved on an electronic USB and has been provided in an enclosed sealed red envelope.

Respectfully Submitted,



Troy Rendell
Vice President
Investor Owned Utilities
// For HC Waterworks, Inc.