

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-

DATE: December 15, 2020
TO: Walter Trierweiler, Senior Attorney, Office of the General Counsel
FROM: Dale R. Buys, Public Utilities Supervisor, Division of Accounting & Finance *DRB*
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO.: 20200139-WS DOCUMENT NO: 13055-2020

DESCRIPTION: Utilities, Inc. (Friedman) - (CONFIDENTIAL) Thumb drive containing documents responsive to staff's 3rd request for PODs (No. 15)

On December 2, 2020, Utilities, Inc. of Florida (Utility or UIF) filed an Amended Motion for Protective Order with regard to documents responsive to Staff's Third Request for Production of Documents (No. 15). The documents are loan agreements that contain information pertaining to the Utility's long-term and short-term debt. UIF claims that the information is intended to be and has been treated as private and has not been disclosed to the public. As such, UIF claims pursuant to Rule 25-22.006(6)(b), Florida Administrative Code (F.A.C.), the confidential information is exempt from Section 119.07(1), Florida Statutes (F.S.), pending the Commission's ruling on its Amended Motion. Staff has reviewed UIF's confidentiality request and the documents provided by the Utility. Staff concurs that the documents contain proprietary and confidential information concerning financial data and information relating to competitive business interests, the public disclosure of which could harm the competitive interests of UIF and impair the competitive business of the Utility. As such, this information is protected by Section 366.093(3)(d)(e), F.S.

In staff's opinion, the request meets the criteria for confidentiality set forth in Rule 25-22.006(6)(b), F.A.C., and Section 366.093(3)(d)(e), F.S. Therefore, staff recommends that UIF's request for confidentiality be approved.