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November 12, 2024

Adam Teitzman, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

REDACTED

Re: Docket No. 20240068-WS - Application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk and Seminole Counties, by Sunshine Water Services Company

Dear Mr. Teitzman:

On behalf of Sunshine Water Services Company enclosed is the original of its Motion for Protective Order and request for Confidential Classification with the redacted confidential documents for filing in this Docket. Also enclosed in a separate envelope is a highlighted copy of the confidential documents. The staff and OPC already have access to the confidential documents.

Should you or Staff have any questions regarding this response please do not hesitate to contact me.

Very truly yours,



Martin Friedman

MSF:

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COMMISSION
CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for increase in water and
wastewater rates in Charlotte, Highlands,
Lake, Lee, Marion, Orange, Pasco, Pinellas,
Polk, and Seminole Counties by Sunshine Water
Services Company

DOCKET NO. 20240068-WS

**SUNSHINE WATER SERVICES COMPANY'S MOTION FOR PROTECTIVE ORDER
AND REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Sunshine Water Services Company ("Utility") by and through its undersigned counsel, and pursuant to Rules 25-22.006(4) & (6), Florida Administrative Code, files this Motion for Protective Order and Request for Confidential Classification with regard to documents responsive to Office of Public Counsel's Request for Production of Documents No. 34 ("Confidential Documents").

1. The requested Confidential Documents are a unanimous written consent and a resolution entered into the minutes of the Utility's indirect parent companies.¹ Under Section 367.156, Florida Statutes, this Commission has reasonable access to records of a utility's parent company and concurrently 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. Corporate minutes of the Utility's parent company are not public and are considered by the parent company to be confidential and treated as such. This Commission has previously held that corporate minutes are protected as proprietary business information. See, for example, PSC Order Nos. PSC-2017-0158-CFO-WS, PSC-PSC-2008-0447-PCO-WS and PSC-2003-0410-CFO-WS.

¹ Specifically, the first document is a unanimous written consent of Corix Infrastructure Inc., which, at the time of the consent, was the indirect holder of 100% of the Utility's stock. The second document is a resolution of the board of Nexus Water Group, Inc., which at the time of the written consent was (and remains) the indirect holder of 100% of the Utility's stock. Unanimous written consents document board action without the need of a formal meeting and are entered into a corporation's minute book and, therefore, should receive the same protection as minutes of, and resolutions adopted at, formal board meetings.

2. Rule 25-22.006(6)(a), Florida Administrative Code, permits a utility to request a Protective Order protecting proprietary confidential information from discovery.

3. Pursuant to Rule 25-22.006(6)(b), Florida Administrative Code, the Confidential Information is exempt from Section 119.07(1), Florida Statutes, pending the Commissions' ruling on this Motion. The Utility has entered into a Confidentiality Agreement with OPC, allowing the Utility to provide the Confidential Documents to OPC.

4. The Justification Schedule is attached.

5. Upon a finding by the Commission that the information is proprietary and confidential business information, the information should not be declassified for at least 18 months and should be returned to the undersigned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, Sunshine Water Services Company requests the Commission enter a Protective Order against public disclosure of the Confidential Information provided by the Utility in response to OPC POD #34.

Respectfully submitted this 12th day of November, 2024.

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mfriedman@deanmead.com



Martin S. Friedman, Esquire

CERTIFICATE OF SERVICE

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

Electronic mail to the following parties this 12th day of November, 2024:

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Octavio Simoes-Ponce, Esquire
Austin Watrous, Esquire
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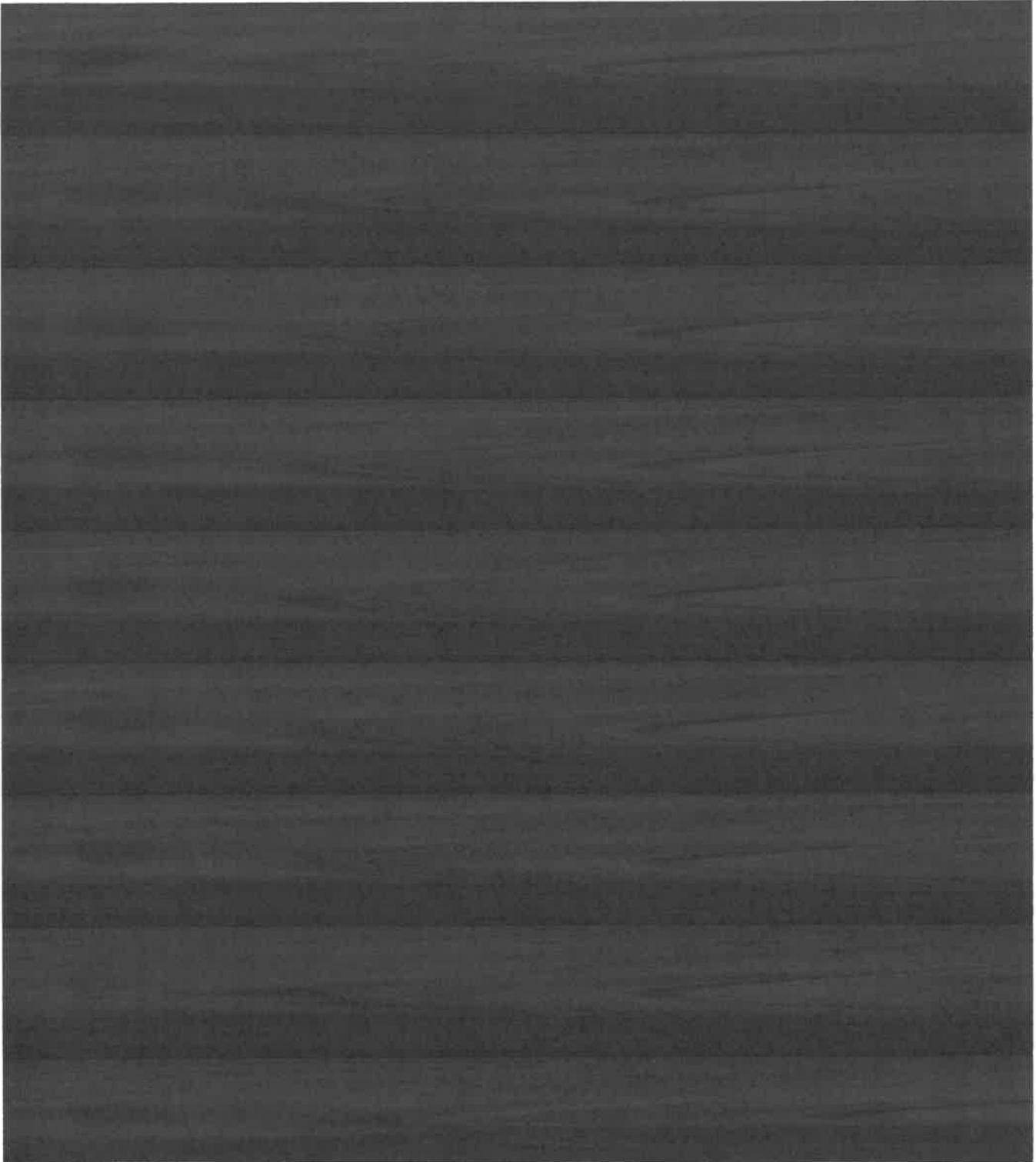
Ryan Sandy, Esquire
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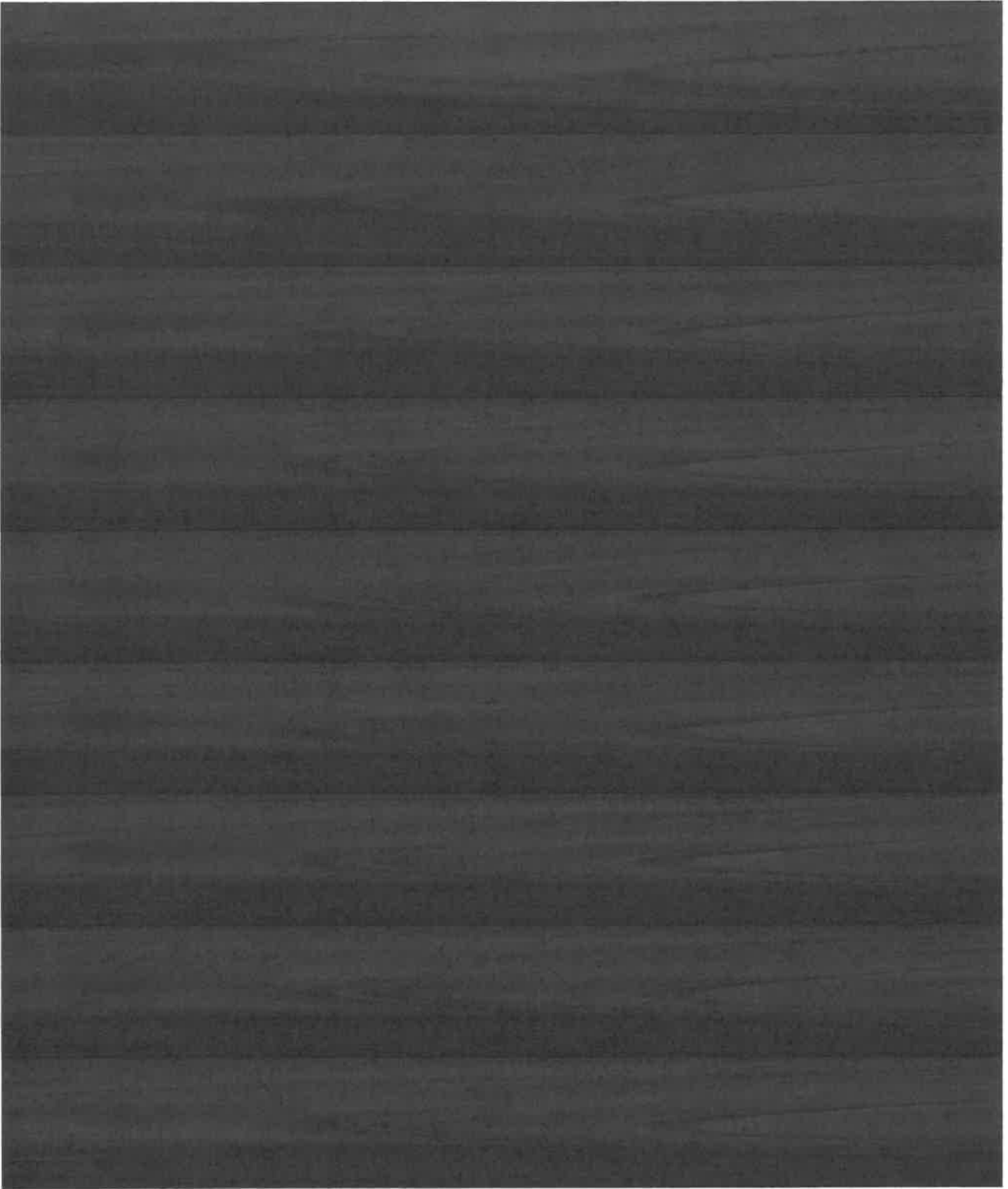
/s/ Martin S. Friedman
Martin S. Friedman

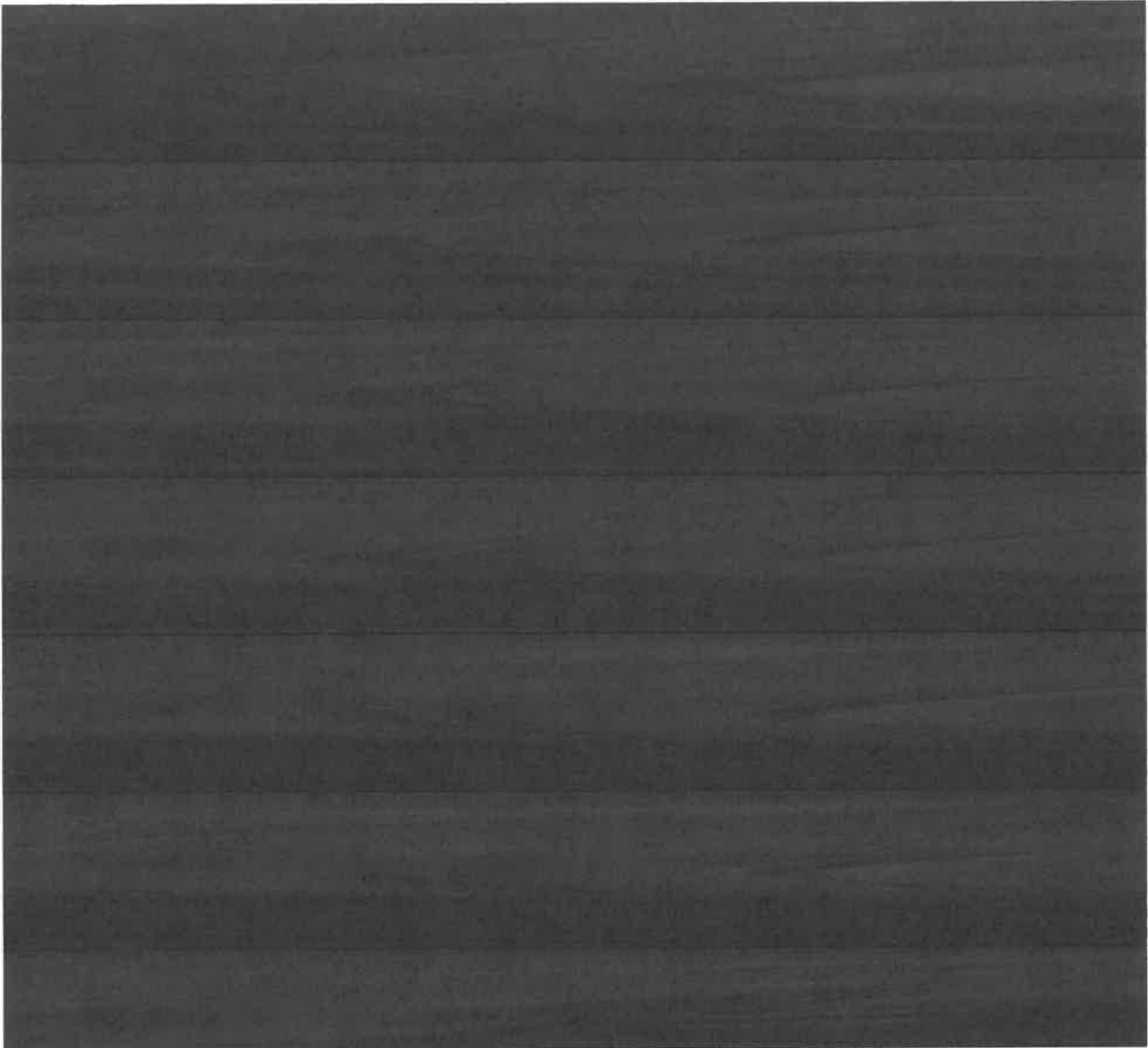
**Exhibit “A”
JUSTIFICATION MATRIX**

Location (Document name and location of information)	Justification
<p><u>Consent Resolution of all of the Directors of Corix Infrastructure Inc. dated the 27th day of November 2023 (2023-11-27 CII Director Consent – AFFF MDL Settlement Reviewed SIGNED (003).pdf (the “CII Consent Resolution”))</u></p>	<p>§367.156: This Commission has previously held that corporate minutes are protected as proprietary business information. See, for example, PSC Order Nos. PSC-2017-0158-CFO-WS, PSC-PSC-2008-0447-PCO-WS and PSC-2003-0410-CFO-WS. The unanimous written consent resolution documents the action of the Board of Directors of Corix Infrastructure Inc. and is entered into the corporate minute book.</p>
<p><u>Exhibit A to the Consent Resolution – Memorandum re: AFFF Multi-district Litigation; 3M and DuPont Settlement Agreements with Public Water Systems (2023-11-27 CII Director Consent – AFFF MDL Settlement Reviewed SIGNED (003).pdf)</u></p>	<p>[Title VII, Chapter 90 §90.502] Corix Infrastructure Inc.’s Chief Legal Officer prepared the memorandum directed to the Board of Directors of CII, which is a communication between the client (CII) and its lawyer (the CLO) that was not intended to be, and has not been disclosed to third persons. Accordingly, privileged communication content has been redacted.</p>
<p><u>Written Resolution of the Board of Directors of Nexus Water Group, Inc. dated September 5, 2024 (20240905 NWGI Resolution – AFFF Litigation.pdf)</u></p>	<p>§367.156: This Commission has previously held that corporate minutes are protected as proprietary business information. See, for example, PSC Order Nos. PSC-2017-0158-CFO-WS, PSC-PSC-2008-0447-PCO-WS and PSC-2003-0410-CFO-WS. The written resolution formally documents the action of the Board of Directors of Nexus Water Group, Inc. and is entered into the corporate minute book.</p>

**CONSENT RESOLUTIONS OF ALL OF THE DIRECTORS
OF
CORIX INFRASTRUCTURE INC.
(the "Company")**







Attachments

Exhibit A – Memorandum re: AFFF Multi-district Litigation; 3M and DuPont Settlement Agreements with Public Water Systems

Exhibit A

Memorandum re: AFFF Multi-district Litigation; 3M and DuPont Settlement
Agreements with Public Water Systems



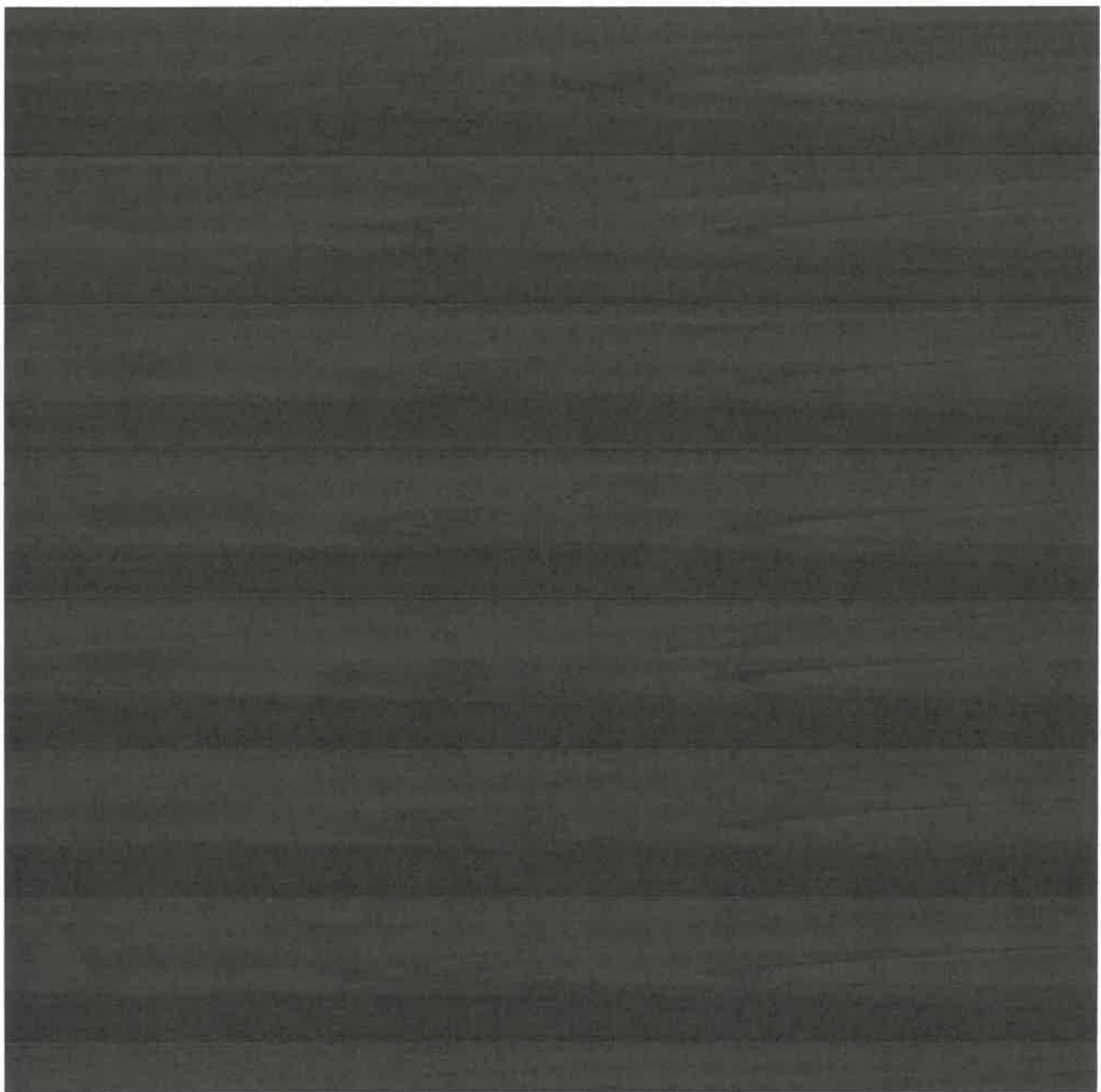
**CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGE
ATTORNEY WORK PRODUCT**

TO: Corix Board of Directors

**FROM: Shawn M. Elicegui¹
Chief Legal Officer & Executive Vice President, Risk**

DATE: November 27, 2023

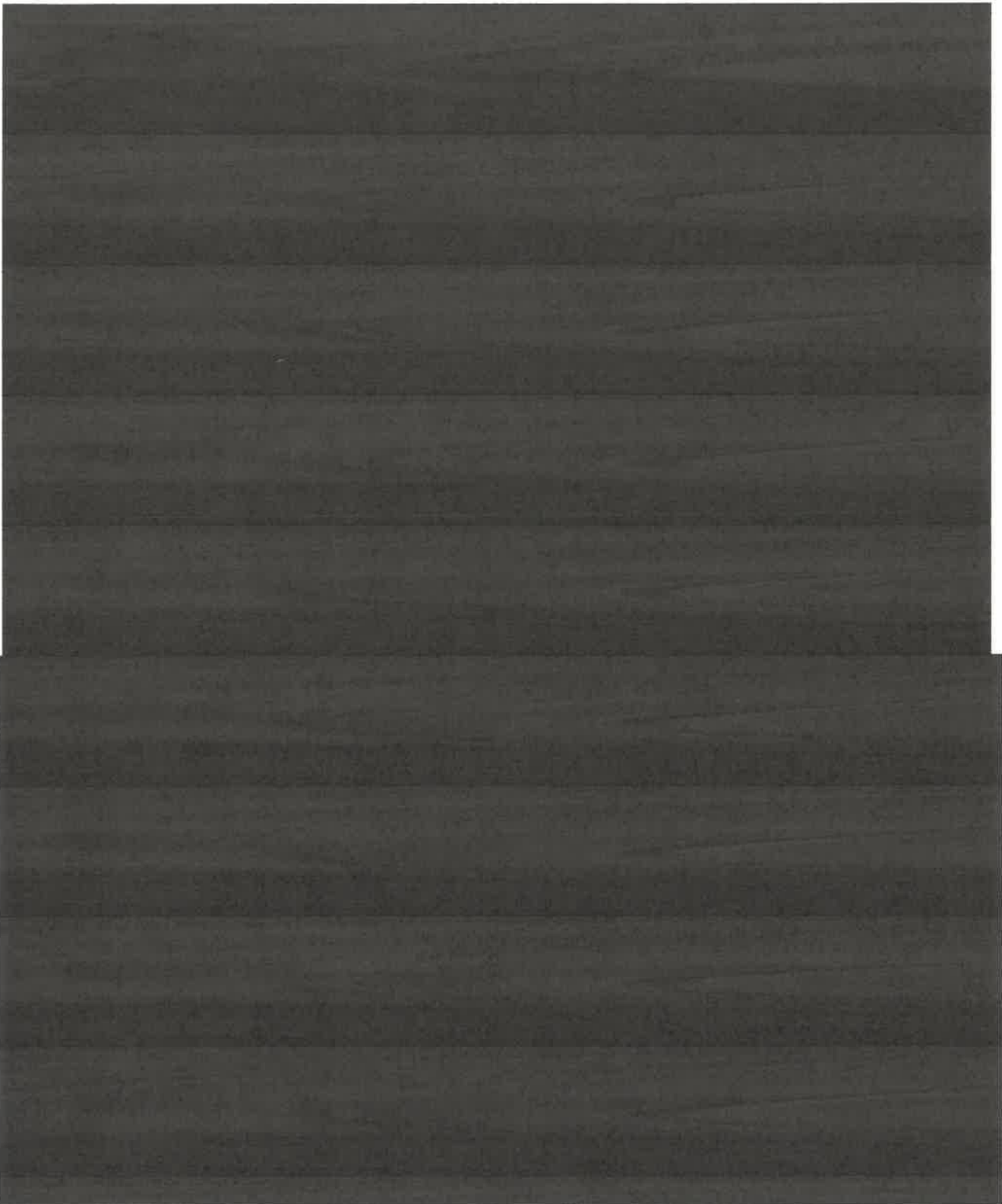
SUBJECT: AFFF Multi-district Litigation; 3M and DuPont Settlement Agreements with Public Water Systems





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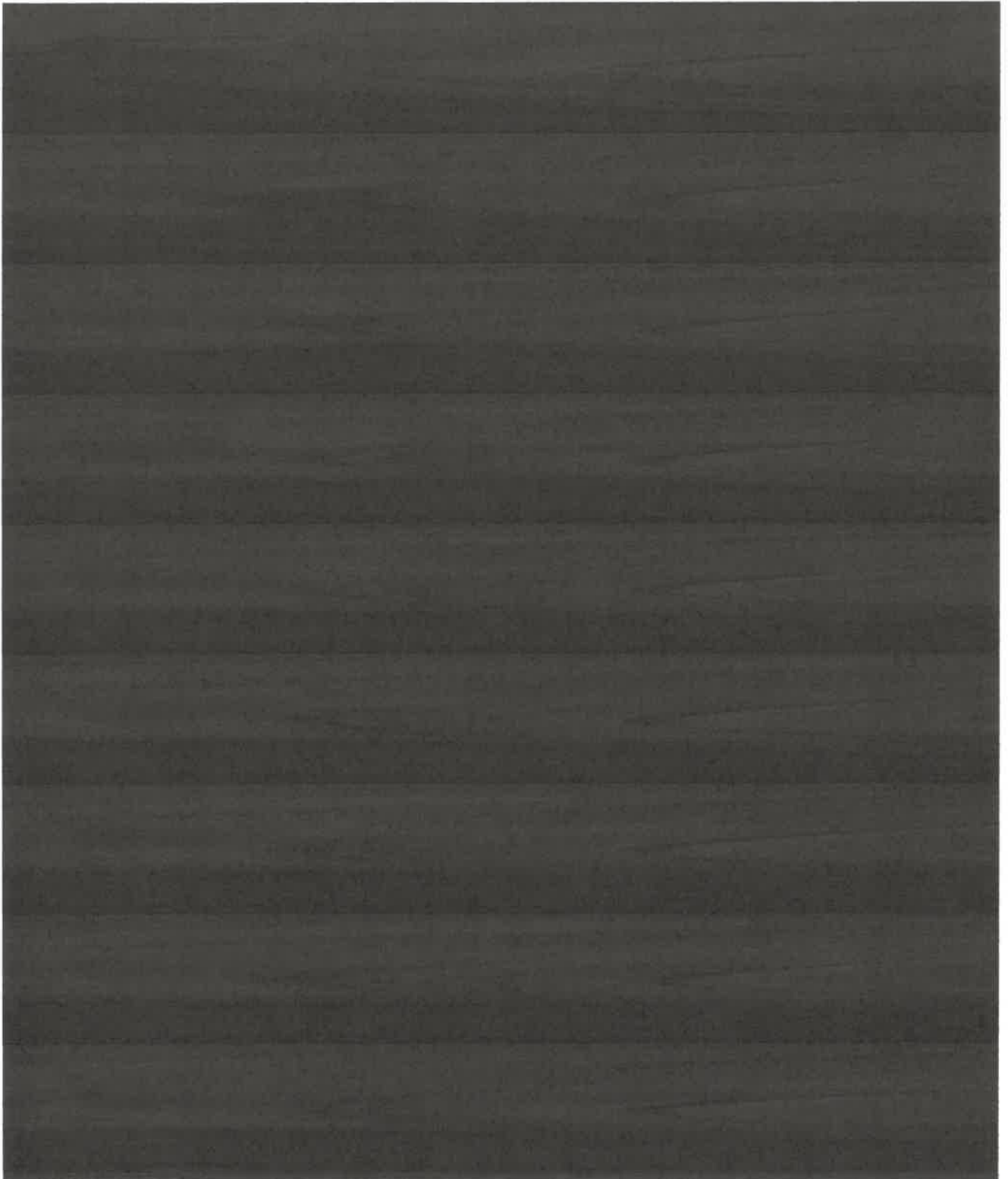
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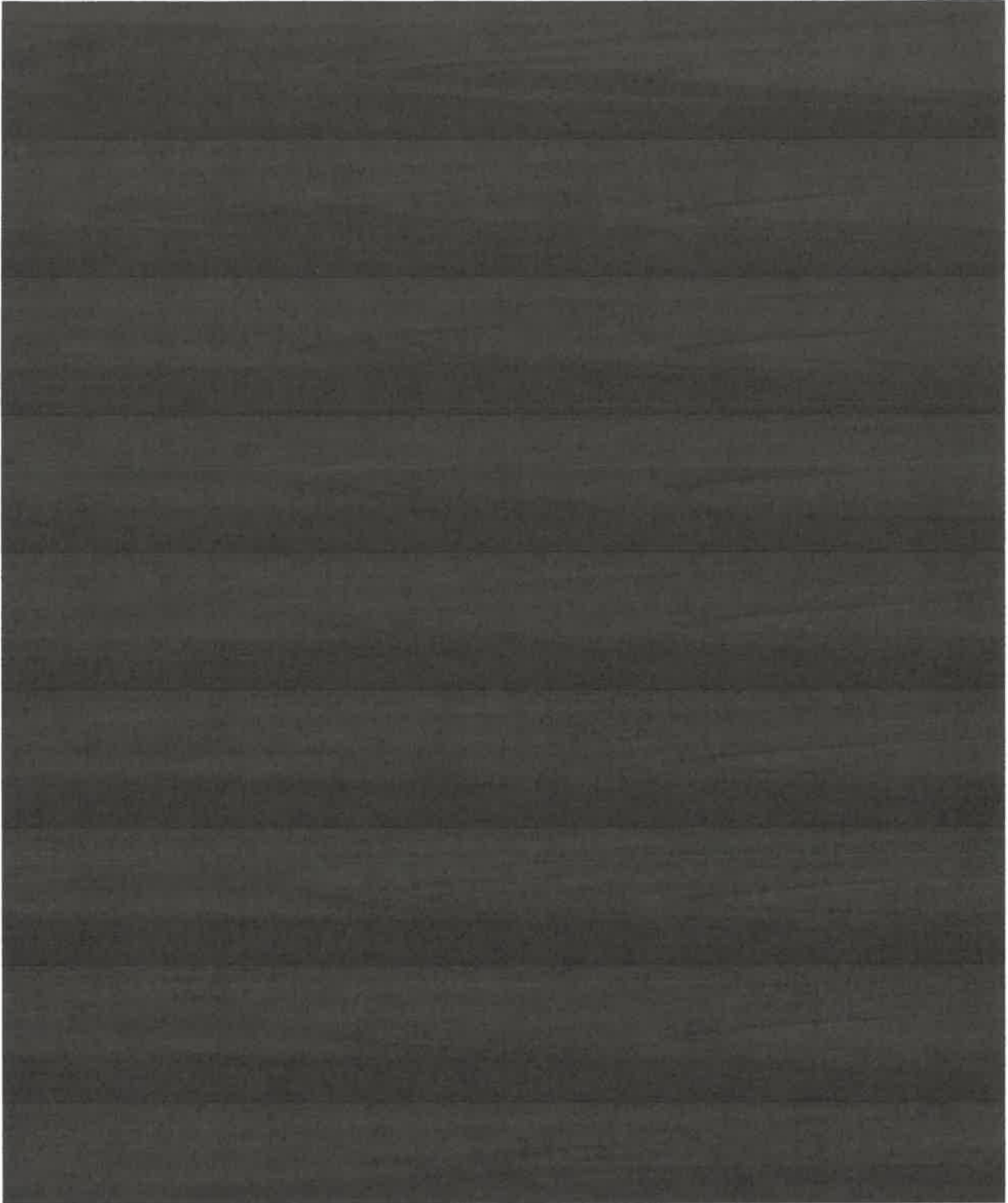
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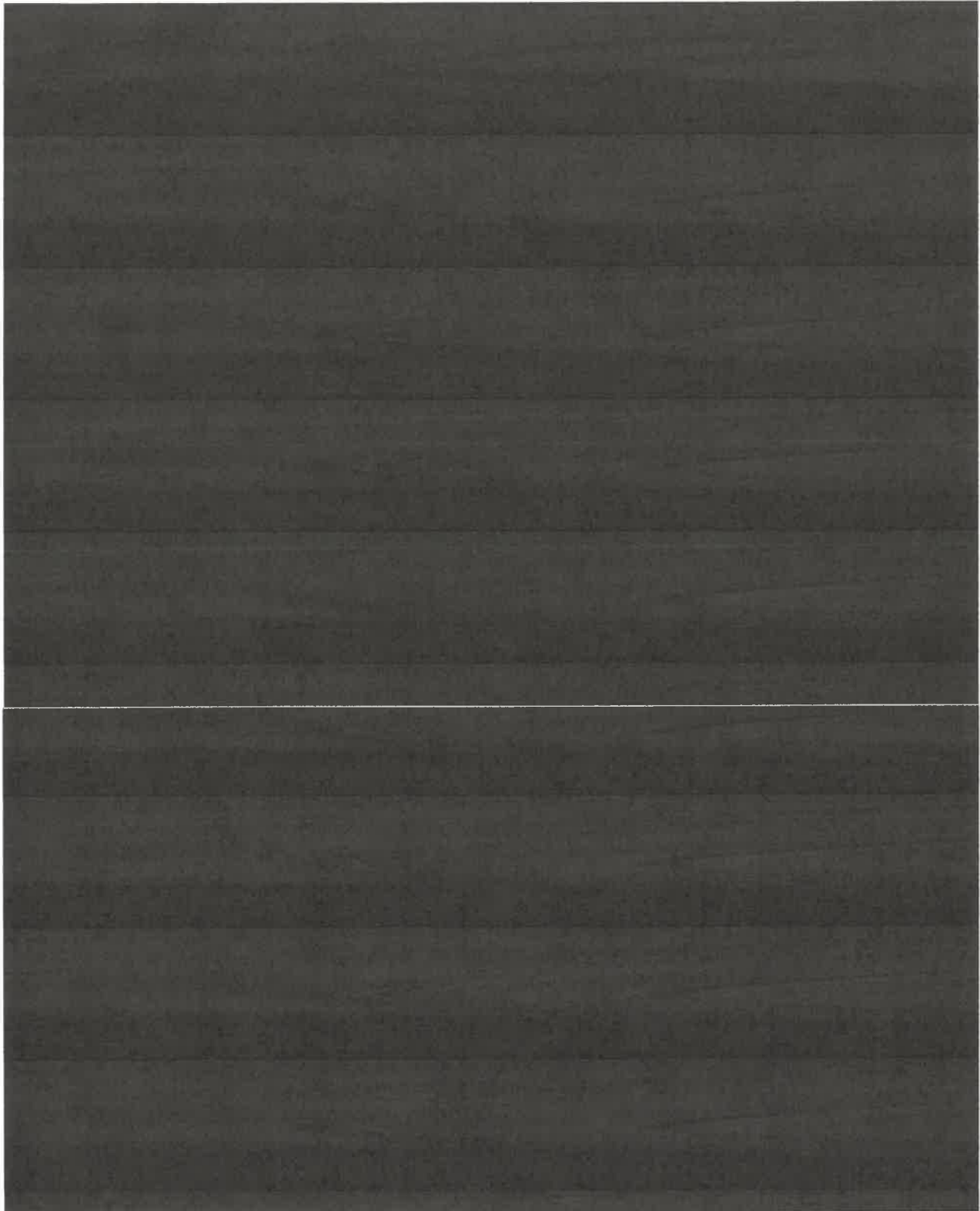
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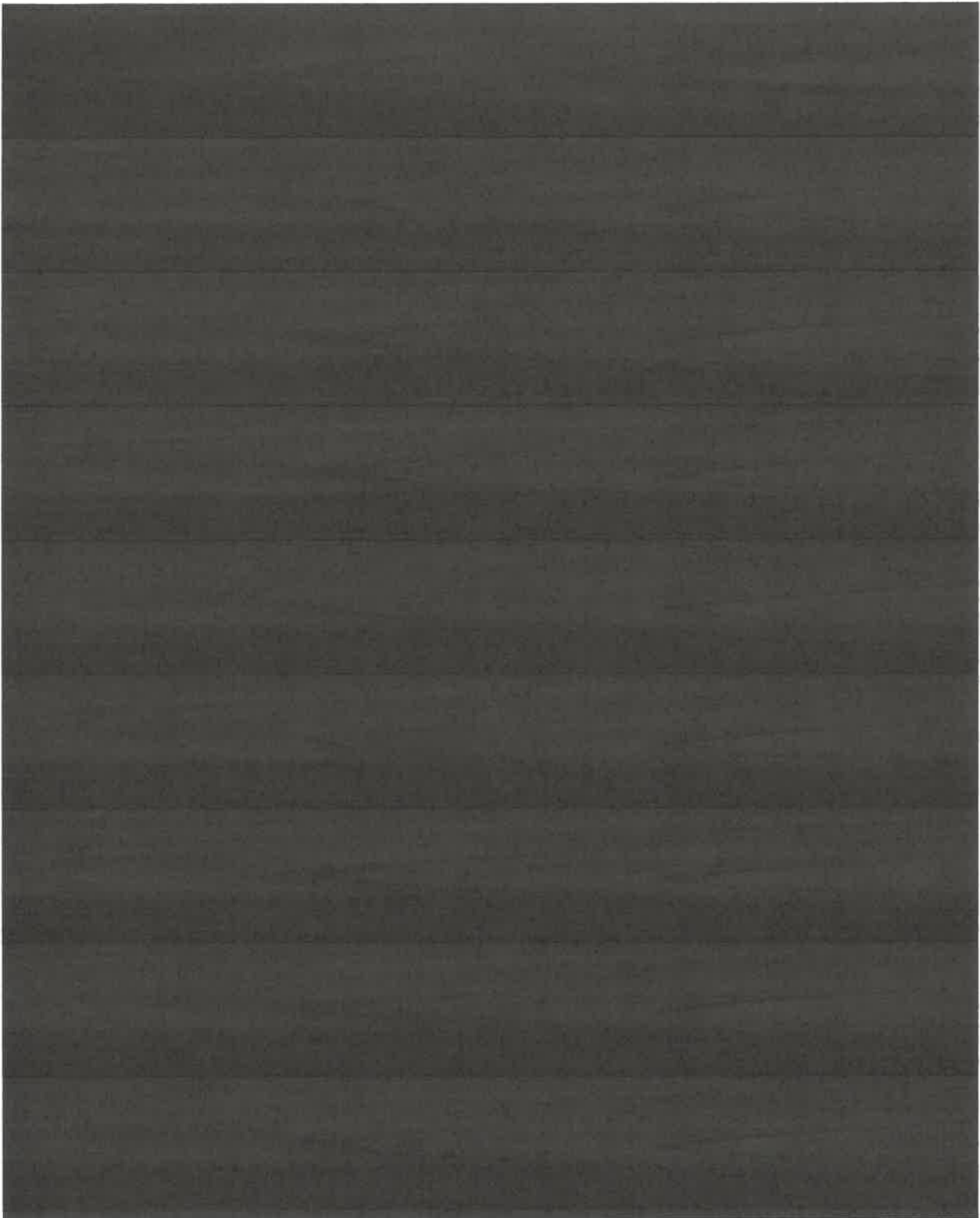
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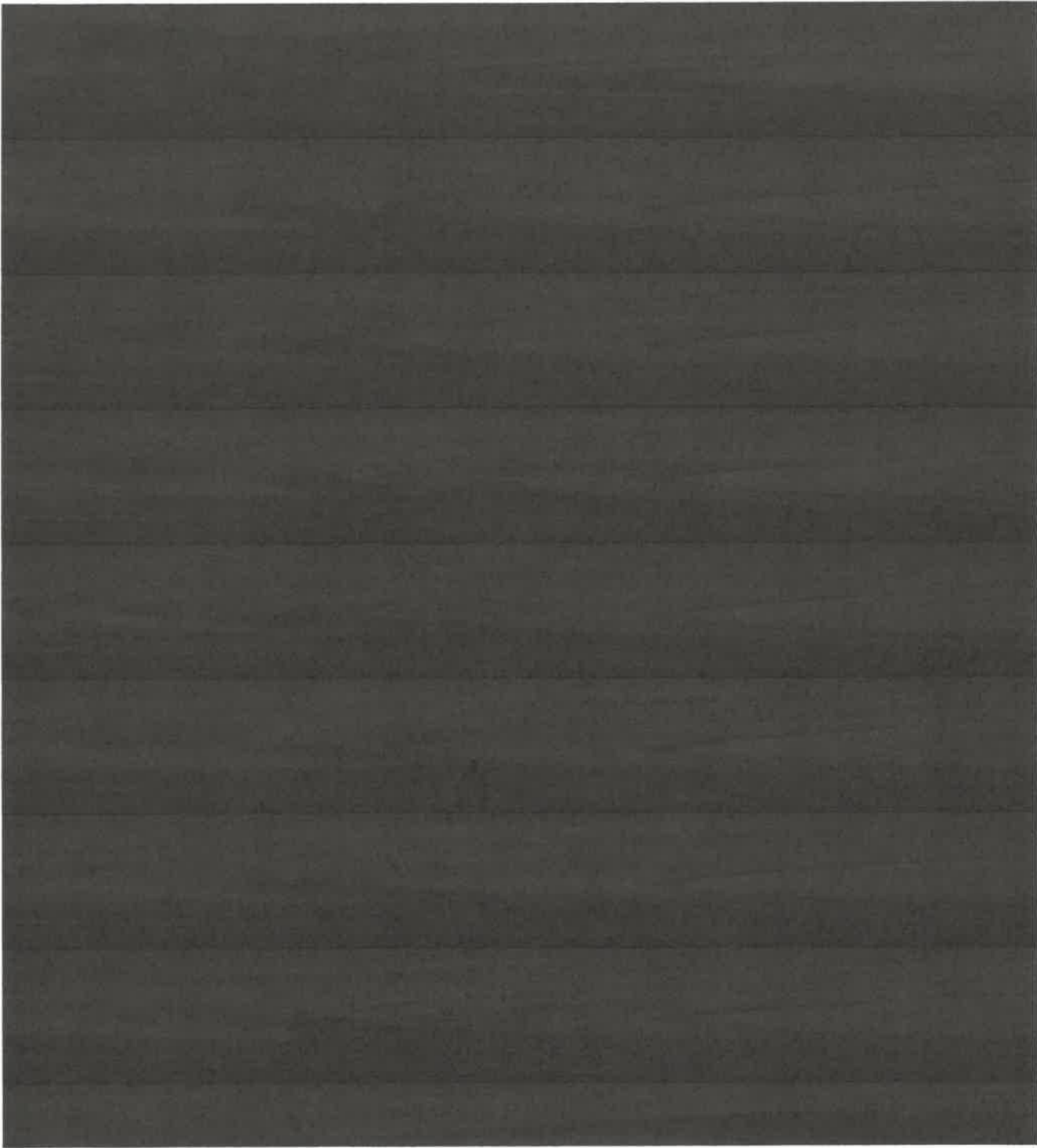
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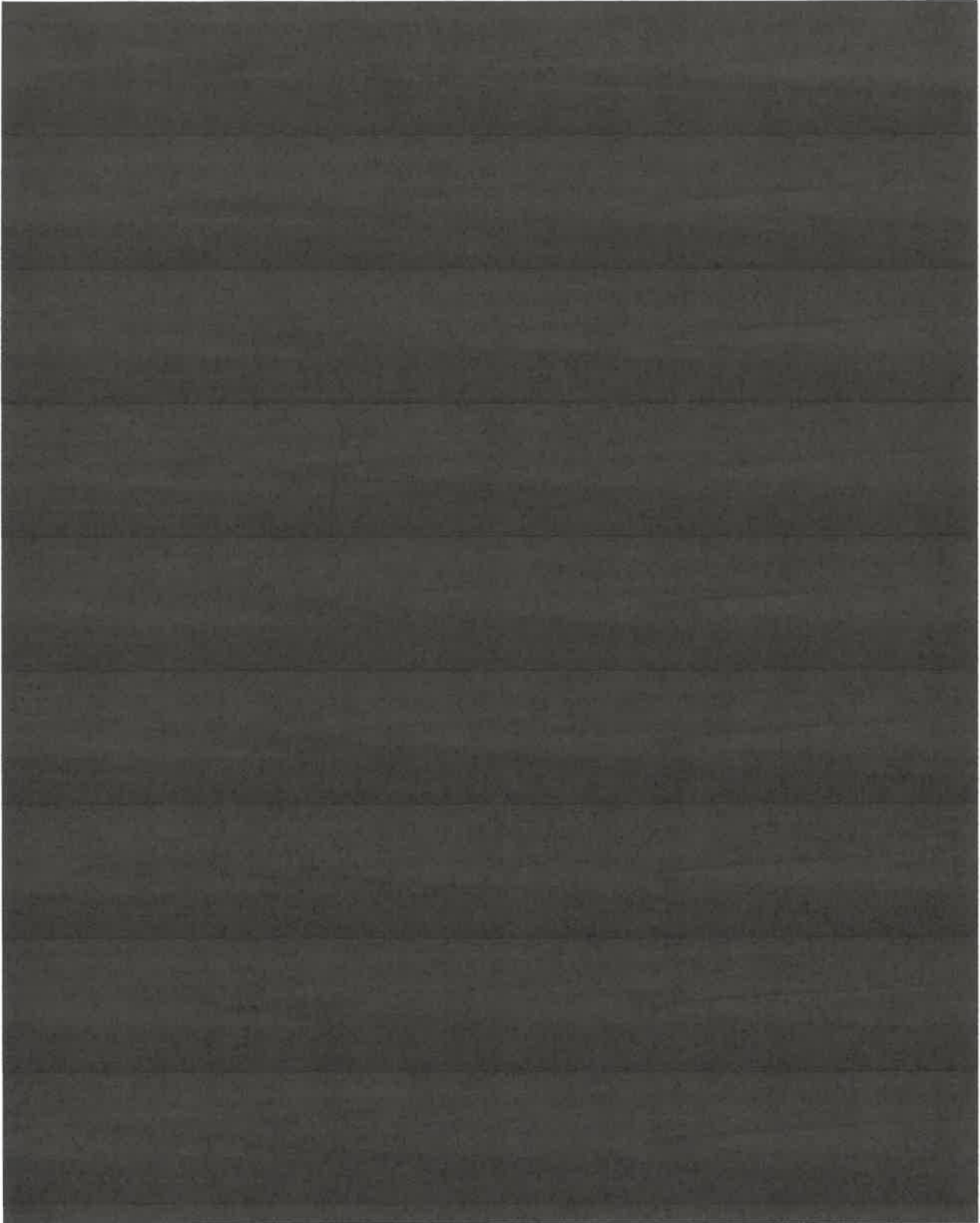
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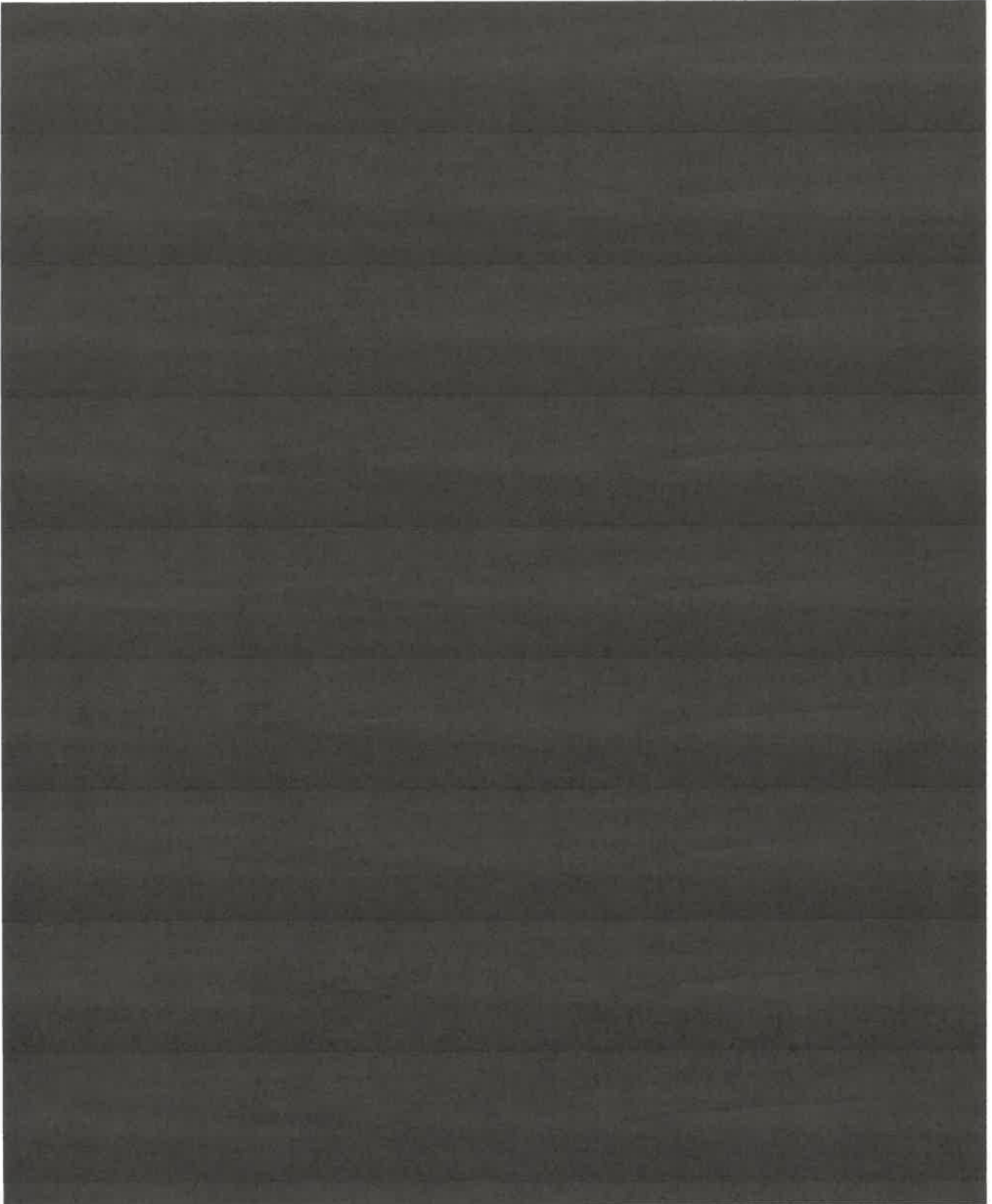
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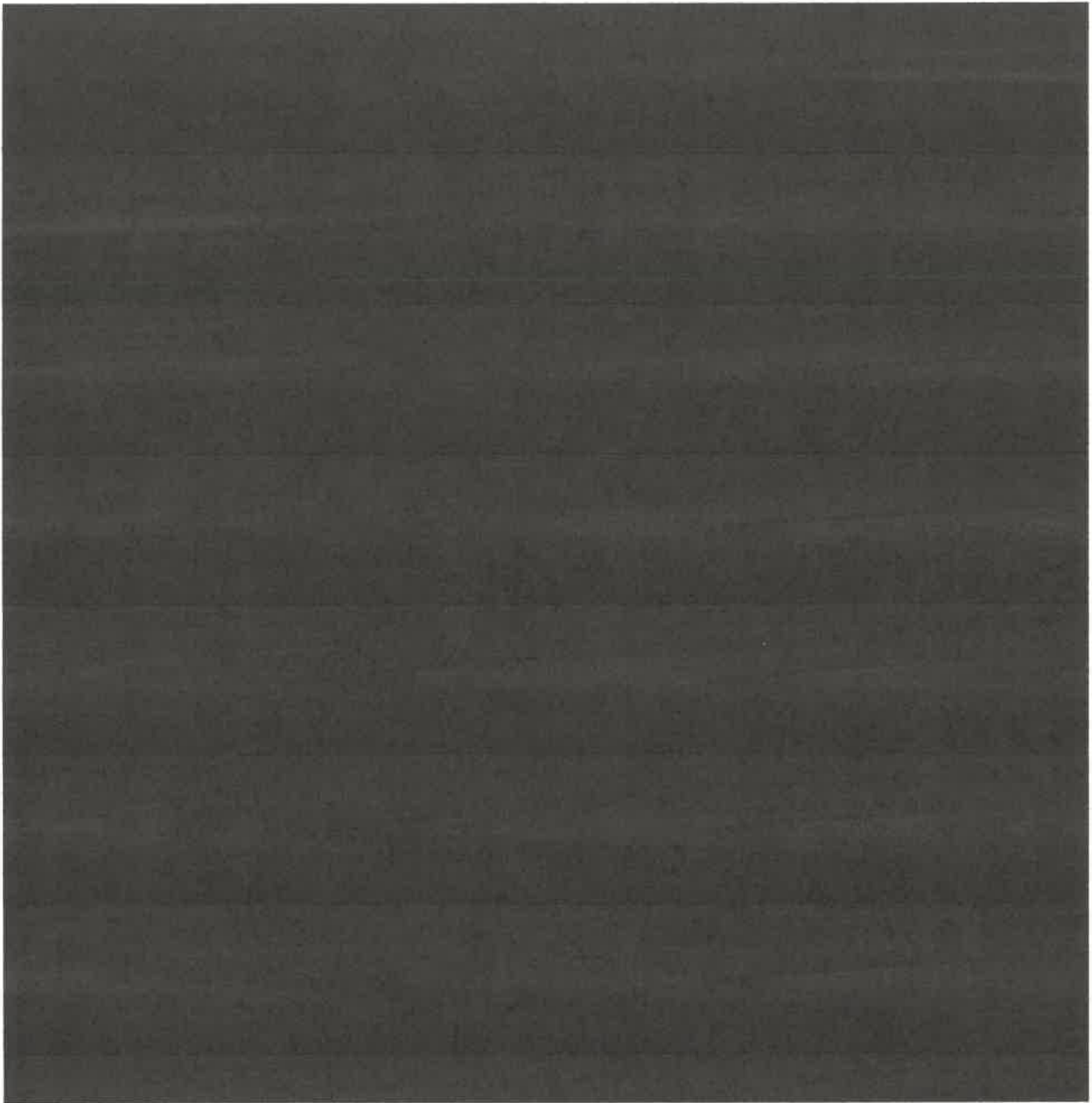
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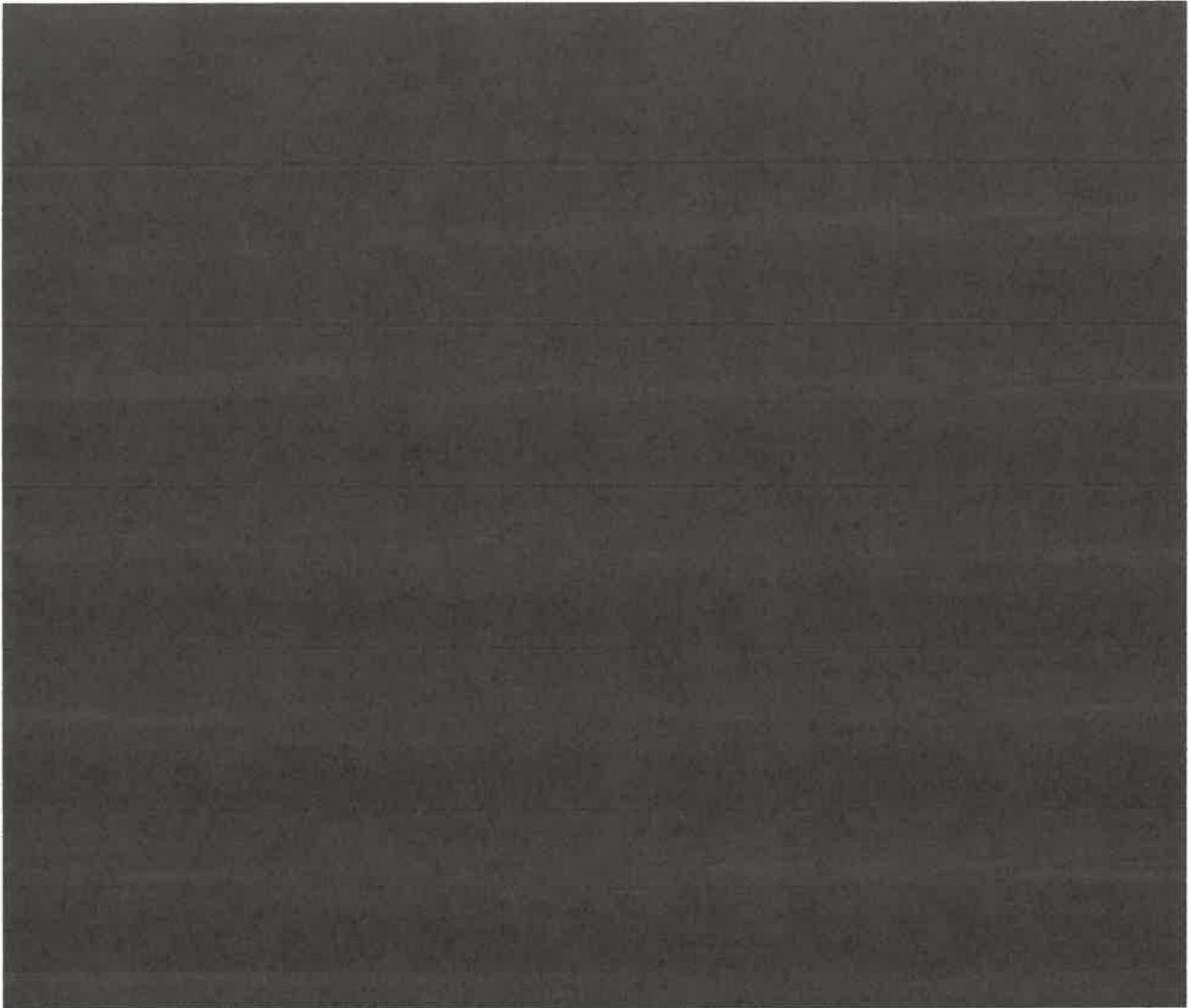
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Shawn M. Elicegui

Shawn M. Elicegui

Exhibits
A – List of Corix Subsidiaries

EXHIBIT A**COMPANY SUBSIDIARIES**

Entity	Operating State
Community Utilities of Alabama Inc.	Alabama
Corix Utilities (Alabama) Inc.	Alabama
College Utilities Corp.	Alaska
Golden Heart Utilities, Inc.	Alaska
Fairbanks Sewer & Water, Inc.	Alaska
Rural Utility Services of Alaska, Inc.	Alaska
Utility Services of Alaska, Inc.	Alaska
Bermuda Water Company, Inc.	Arizona
Sunshine Water Services Company	Florida
Community Utilities of Georgia, Inc.	Georgia
Utilities, Inc. of Georgia	Georgia
Water Service Company of Georgia, Inc.	Georgia
Prairie Path Water Company	Illinois
Community Utilities of Indiana, Inc.	Indiana
Water Service Corporation of Kentucky	Kentucky
Utilities, Inc. of Louisiana	Louisiana
Maryland Water Service, Inc.	Maryland
Great Basin Water Company	Nevada
Montague Sewer Co., Inc.	New Jersey
Montague Water Co., Inc.	New Jersey
Carolina Water Service, Inc. of North Carolina	North Carolina
Cleveland Thermal (District Energy)	Ohio
Holiday Service Corp.	Ohio
Community Utilities of Pennsylvania Inc.	Pennsylvania
Blue Granite Water Company	South Carolina
Community Utilities of South Carolina Inc.	South Carolina
Tennessee Water Service, Inc.	Tennessee
Water Service Corporation	Tennessee
Corix Utilities (Texas) Inc.	Texas
Corix Wholesale Utility Services (Texas) Inc.	Texas
Colchester Utilities, Inc.	Virginia
Massanutten Public Service Corporation	Virginia

**WRITTEN RESOLUTION
OF THE BOARD OF DIRECTORS OF
NEXUS WATER GROUP, INC.**

September 5, 2024

