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February 3, 2025

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

REDACTED

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2025 FEB -5 PM 3:46
COMMISSION
CLERK

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 ("Utility") enclosed is the original of its Request for Confidential Classification for filing in the Docket, with redacted excel file on a USB drive. Also enclosed is a highlighted excel file on a USB drive in a confidential envelope. The staff already has access to the confidential information.

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

Very truly yours,



Martin Friedman

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AFD	___ <i>I redacted USB drive</i>
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MSF:

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

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**SUNSHINE WATER SERVICES COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Sunshine Water Services Company (“Utility”) by and through its undersigned counsel, and pursuant to Rules 25-22.006(4), Florida Administrative Code, files this Request for Confidential Classification with regard to documents responsive to Staff’s Interrogatory Nos. 116 & 117, and Request for Production of Documents No. 24 (“Staff Discovery”).

The response to the Staff’s Discovery requires the disclosure of certain salary information for employees of the Utility and its parent (“Confidential Documents”). The Utility treats employee 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 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-2014-0125-CFO-WS, PSC-2014-0060-CFO-WS, PSC-2017-0154-CFO-WS, and PSC-2021-0308-CFO-WS.

1. Pursuant to 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.

2. 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.

3. Highlighted and redacted copies of the Confidential Documents are provided to the Clerk with this Motion on separate USB drives. The Justification Schedule is attached.

4. 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 an Order determining that the Confidential Information provided by the Utility in response to Staff's Discovery is confidential and not subject to public disclosure.

Respectfully submitted this 3rd day of February, 2025.

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Martin S. Friedman, Esquire
John L. Wharton, 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 3rd day of February, 2025:

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/s/ Martin S. Friedman
Martin S. Friedman

JUSTIFICATION SCHEDULE

Document Name	Description	Line/Col.	Legal Citation
<u>Staff Irog #117</u>	All excel tabs with Salary Information	The columns with salary information	Section 367.156, Florida Statutes <i>Florida Power & Light Company et al. v. Public Service Commission</i> , 31 So. 3d 860 (Fla. 1st DCA 2010) Order Nos. PSC-2014-0125-CFO-WS, PSC-2014-0060-CFO-WS, PSC-2017-0154-CFO-WS, and PSC-2021-0308-CFO-WS.
<u>Staff Irog #116 & Staff POD#24</u>	Corix Cost Allocations	All columns affecting cost allocation methodology	§367.156(3)(a): The Confidential Information was prepared at substantial costs to reflect the allocation of costs among the Corix group of companies, and its disclosure would provide an economic value to others. The Confidential meets the definition of trade secret under Section 688.002(4), Florida Statutes. §367.156(3)(e): Allowing competing businesses to have access to the Confidential Information would impair the competitive interest of the Corix group of companies, generally and Sunshine specifically by allowing them to evaluate the various business entities to which applies for competitive purposes.