

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in water and wastewater rates in Brevard, Citrus, Duval, Highlands, Marion, and Volusia Counties by CSWR-Florida Utility Operating Company.

DOCKET NO. 20250052-WS

DATED: May 11, 2026

CSWR-FLORIDA'S MOTION FOR PROTECTIVE ORDER AND REQUEST FOR CONFIDENTIAL CLASSIFICATION OF COMPENSATION DATA RESPONSIVE TO STAFF INTERROGATORY 174 AND DOCUMENT REQUEST 61

CSWR-Florida Utility Operating Company, LLC ("CSWR-Florida"), 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 certain employee compensation data requested by staff in discovery. In support, CSWR-Florida states:

1. Staff interrogatory 174 states: "Please provide justification for total compensation for Josiah Cox, Aaron Silas, Arthur Faiello, Jessica Thomas, and any other individuals responsible for management or oversight of CSWR-Florida."

2. Staff request for the production of documents 61 requests "documentation that supports total compensation for Josiah Cox, Aaron Silas, Arthur Faiello, Jessica Thomas, and any other individuals responsible for management or oversight of CSWR-Florida, including, but not limited to, any relevant salary studies."

3. The answer to staff interrogatory 174 and documents responsive to staff request for the production of documents 61 are comprised of a 3-page narrative that describes CSWR-Florida's processes for assessing the reasonableness of executive and non-executive compensation, a 3-page compensation study prepared by CSWR-Florida applying the process to the current compensation of its executives, and industry data purchased by CSWR-Florida showing relevant compensation data for positions in the water and wastewater utility industry comparable to the

positions held by the referenced CSWR-Florida non-executive employees. This information includes the salaries of the CSWR-Florida employees referenced by name in the discovery requests and the other employees “responsible for management or oversight of CSWR-Florida.”

4. For purposes of this request and motion, CSWR-Florida refers to the responsive information for which confidential classification is sought as the “Compensation Data.”

5. The Compensation Data is proprietary confidential business information confidential and exempt from public disclosure.

6. Section 367.156(1), Florida Statutes, provides that “any records received by the commission which are shown and found by the commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1).”

7. Section 367.156(3), Florida Statutes, defines proprietary confidential business information as:

(3) Proprietary confidential business information means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or a private agreement that provides that the information will not be released to the public. Proprietary business information includes, but is not limited to:

(a) Trade secrets.

(b) Internal auditing controls and reports of internal auditors.

(c) Security measures, systems, or procedures.

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the utility or its affiliates to contract for goods or services on favorable terms.

(e) Information relating to competitive interests, the disclosure of which would impair the competitive businesses of the provider of the information.

(f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

8. The Compensation Data is controlled by CSWR, LLC, CSWR-Florida and other CSWR affiliates. It is intended to be and is treated as private.

9. The Compensation Data meets the general definition of proprietary confidential business information in that disclosure of this private information “would cause harm to the ratepayers or the person's or company’s business operations.” The Compensation Data also meets at least three of the statutory examples of proprietary confidential business information. At minimum, it is trade secrets under Section 367.156(3)(a), “[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the utility or its affiliates to contract for goods or services on favorable terms” under Section 367.156(3)(d), and “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive businesses of the provider of the information” under Section 367.156(3)(e).

10. Disclosure of the Compensation Data would harm the business and competitive interests of CSWR, LLC and CSWR-Florida. If publicly disclosed, this information would impair CSWR, LLC and CSWR-Florida’s ability to contract for employees on favorable terms, and impair their competitive interests. Among the harms, other utilities could identify and try to poach CSWR employees based on this data, disrupting operations and increasing costs and ultimately rates. Other utilities could adopt CSWR-Florida’s processes and supporting industry data for assessing the reasonableness of compensation and by doing so freeride on information developed and obtained by CSWR-Florida at significant expense and personnel time expended in their development.

11. Employee compensation data has been previously found by the Commission to constitute proprietary confidential business information. *See, e.g., In re: Application for increase*

in water and wastewater rates in Seminole County by Sanlando Utilities Corporation, Docket No. 20110257-WS, Order No. PSC-12-0096-CFO-WS (Fla. P.S.C. March 5, 2012)(concluding that “[t]he information constitutes either contractual data or information relating to competitive interests. . . .”); *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, Order No. PSC-2025-0198-CFO-WS (Fla. P.S.C. June 10, 2025); *see also Fla. Power & Light Co. v. Fla. Pub. Serv. Comm’n*, 31 So. 3d 860 (Fla. 1st DCA 2010)(holding that information relating to the compensation of utility employees warranted confidential classification as disclosure would have impaired the utility’s competitive interest).

12. Pursuant to Rule 25-22.006(4)(d), Florida Administrative Code, CSWR-Florida affirms that the Compensation Data is intended to be and is treated by CSWR-Florida as private and confidential and has not been publicly disclosed.

13. In compliance with Rule 25-22.006(4), F.A.C., attached as Exhibit A is a justification matrix that correlates the Compensation Data to the specific statutory justification proffered in support of confidential classification.

14. In compliance with Rule 25-22.006(4)(a), F.A.C., attached as Exhibit B is a redacted copy of the responsive Compensation Data. Subsequent to electronic filing, CSWR-Florida will hand deliver to the Commission Clerk an unredacted highlighted copy of the Compensation Data.

WHEREFORE, CSWR-Florida respectfully requests that the Compensation Data provided in response to staff’s interrogatory 174 and request for the production of documents 61 be classified as proprietary confidential business information confidential and exempt from disclosure

under the Public Records Act in Chapter 119, Florida Statutes, and Article I, Section 24(a) of the Florida Constitution and that a protective order be issued against public disclosure. CSWR-Florida requests that the material (Exhibit B) be classified as confidential for the maximum period of time allowed and that the unredacted copy be returned to CSWR-Florida upon closure of this docket.

Respectfully submitted this 11th day of May, 2026.

/s/ Thomas A. Crabb

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via e-mail on this 11th day of May, 2026, to the following:

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EXHIBIT A

Exhibit A - Justification Matrix

<p align="center">Location (Document name and location of information)</p>	<p align="center">Justifications</p>
<p>Compensation Data, comprised of:</p> <p>CSWR-FL_012371-012373: 3-page narrative that describes CSWR-Florida’s processes for assessing the reasonableness of executive and non-executive compensation, and that includes the salaries of the referenced CSWR-Florida executive and non-executive employees</p> <p>CSWR-FL_012374-012376: 3-page compensation study prepared by CSWR-Florida applying the process to the current compensation of its executives, and that includes the salaries of the referenced CSWR-Florida executive employees</p> <p>CSWR-FL_012377-012390: Industry data purchased by CSWR-Florida showing relevant compensation data for positions in the water and wastewater utility industry comparable to the positions held by the referenced CSWR-Florida non-executive employees, used to compare the compensation of the referenced CSWR-Florida non-executive employees to compensation levels in the industry.</p>	<p>§ 367.156(3), Florida Statutes (general definition of proprietary confidential business information: “information . . . intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person’s or company’s business operations, and has not been disclosed”)</p> <p>§ 367.156(3)(a), Florida Statutes (trade secrets)</p> <p>§ 367.156(3)(d), Florida Statutes (information concerning bids or other contractual data, the disclosure of which would impair the efforts of the utility or its affiliates to contract for goods or services on favorable terms)</p> <p>§ 367.156(3)(e), Florida Statutes (information relating to competitive interests, the disclosure of which would impair the competitive businesses of the provider of the information)</p>

EXHIBIT B

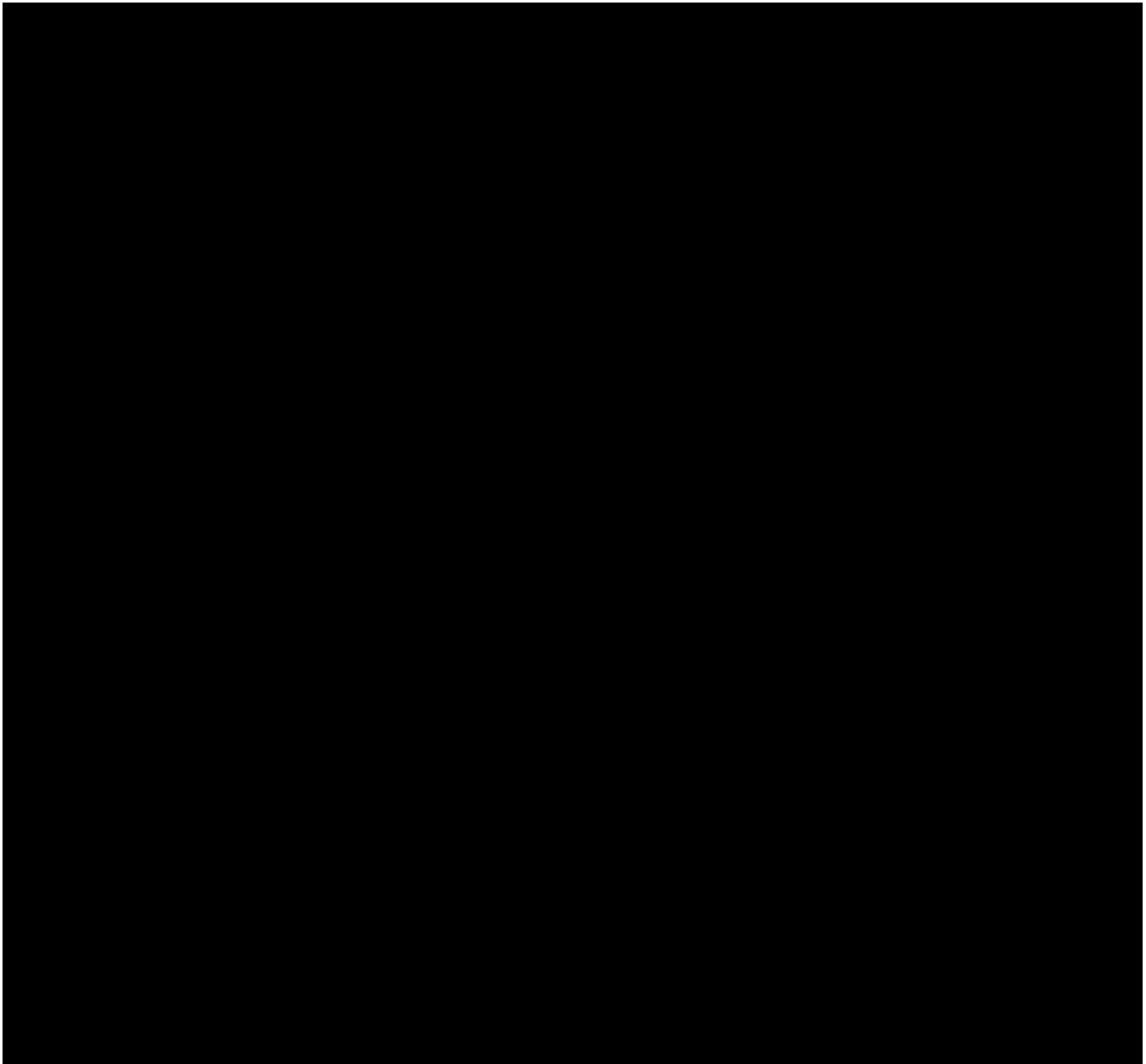
CSWR-FL Rate Case Interrogatory

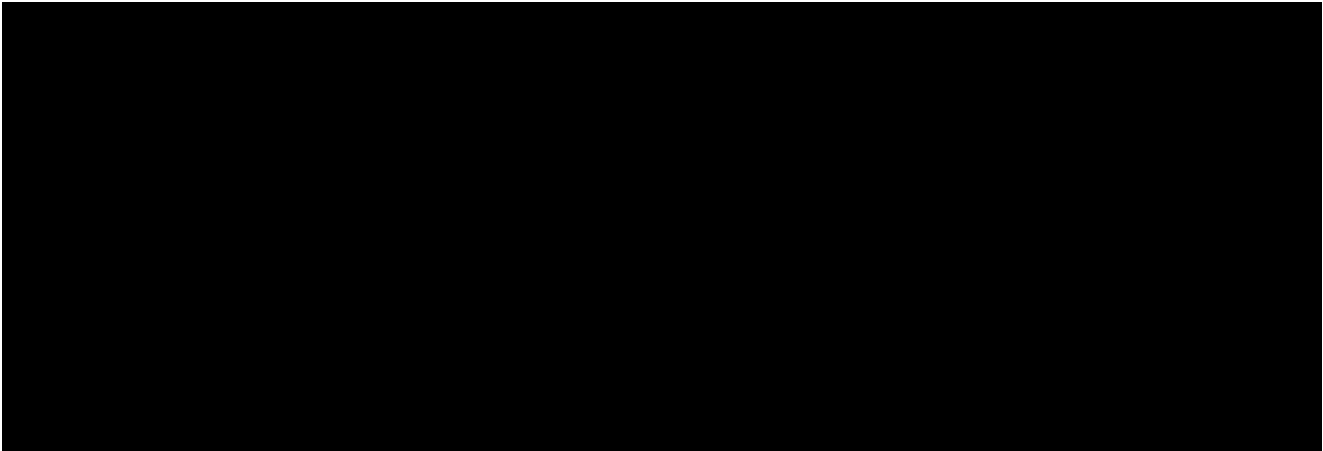
ROG 174: Please provide justification for total compensation for Josiah Cox, Aaron Silas, Arthur Faiello, Jessica Thomas, and any other individuals responsible for management or oversight of CSWR-Florida.

Response:

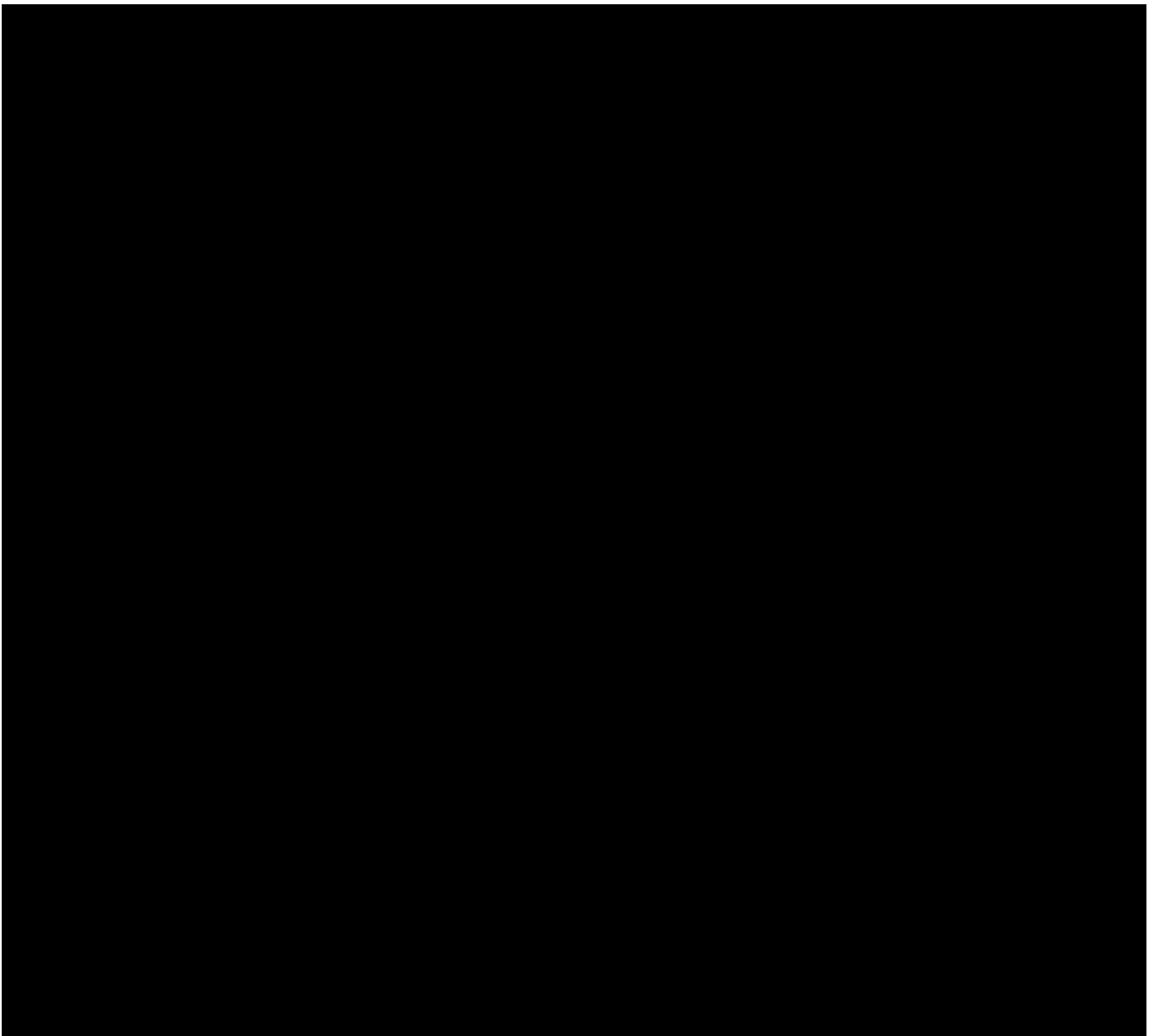
****REDACTED****

Executive Compensation including Messrs. Cox (President), Thomas (Sr. Vice President), Thies (Vice President / Corporate Controller), Duncan (Vice President), and Mitten (General Counsel)

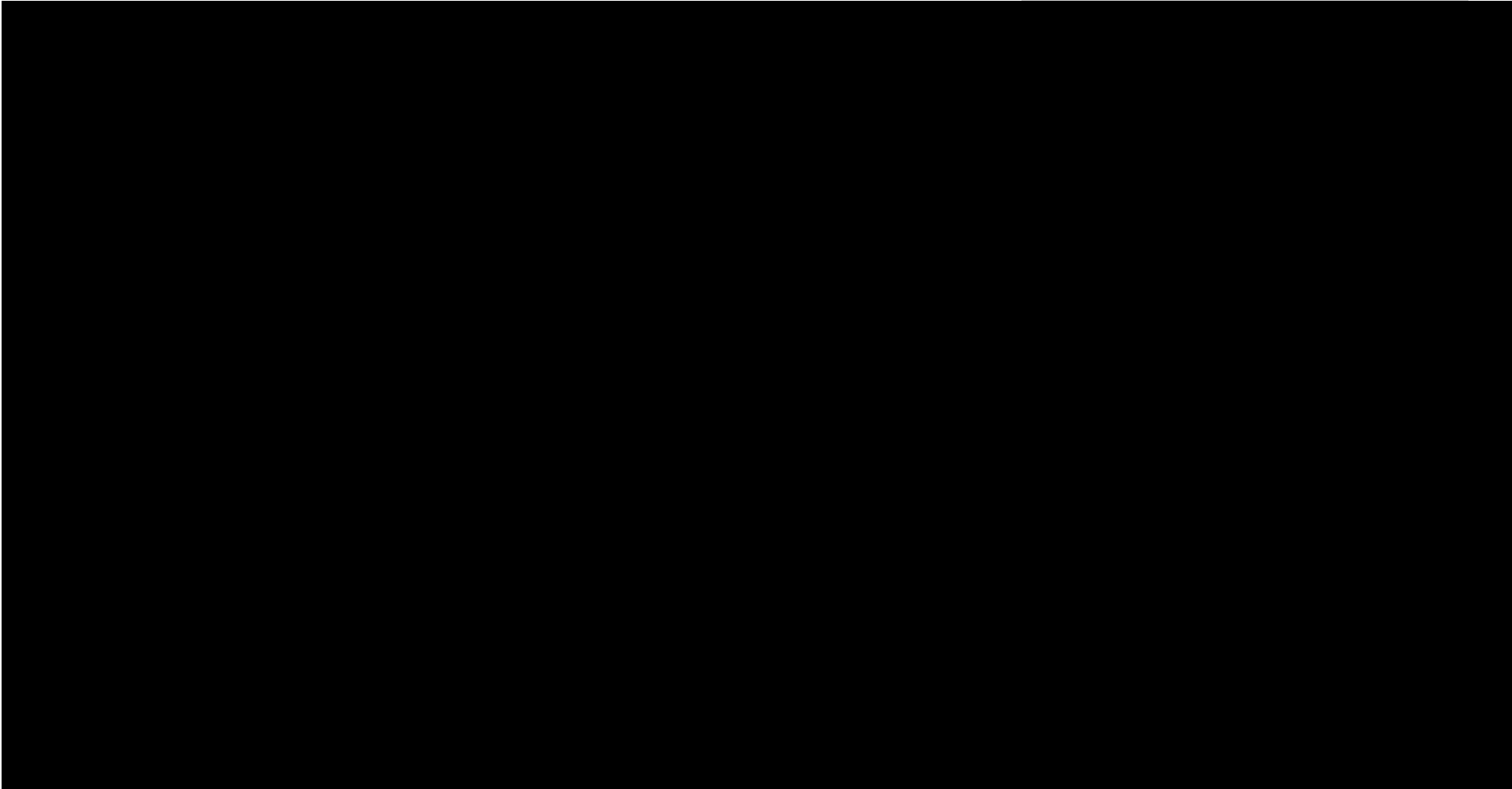




Non-Executive Compensation



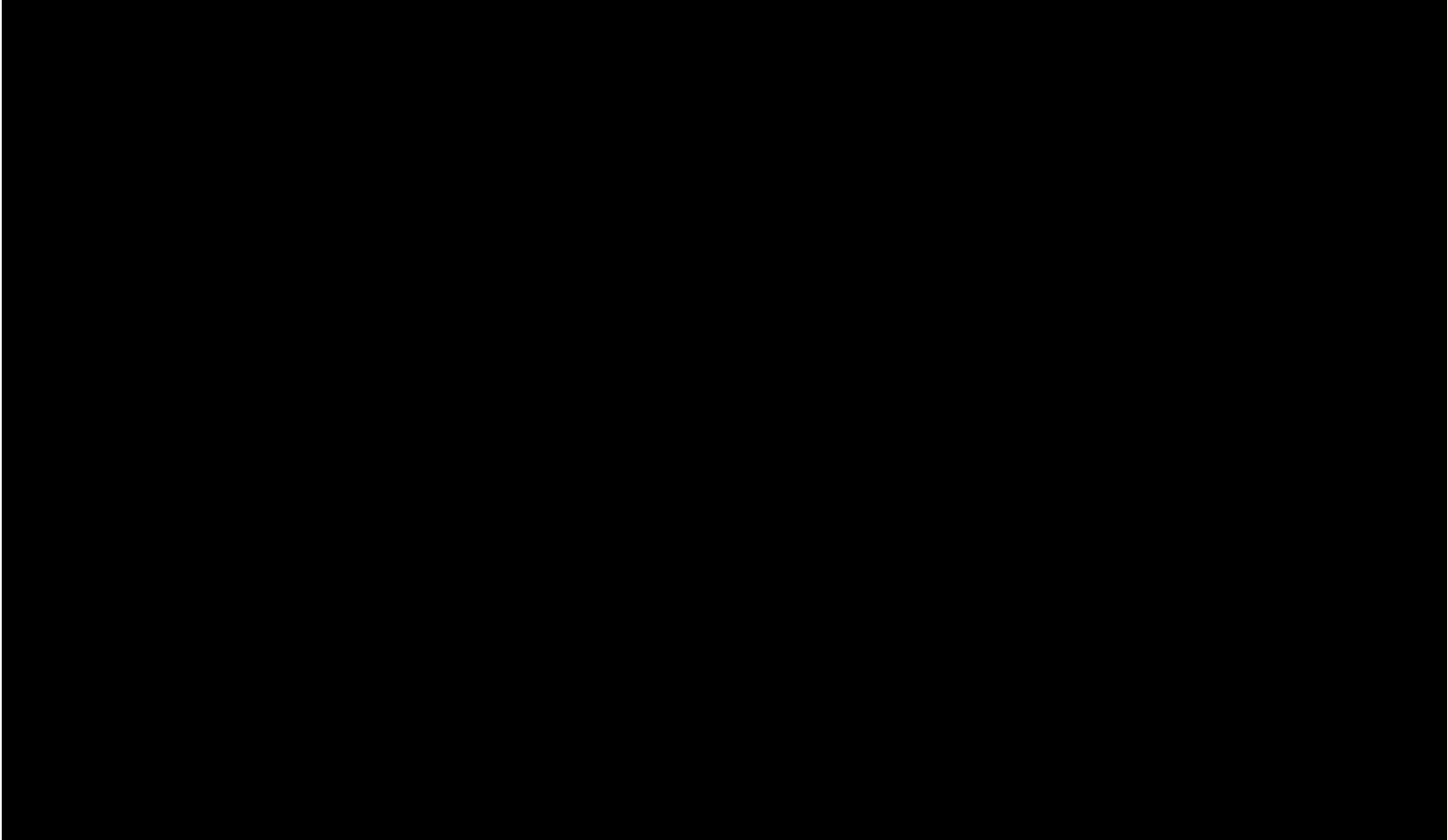




#2

#3

#4



#5

