



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

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-M-E-M-O-R-A-N-D-U-M-

COMMISSION CLERK

DATE: 5/23/11  
TO: Division of Economic Regulation, Office of Primary Responsibility  
FROM: OFFICE OF COMMISSION CLERK  
RE: CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO(s): 100426-WS DOCUMENT NO(s): 03521-11  
DESCRIPTION: LUSI (Marcelli) - (CONFIDENTIAL) Response to staff's request for salary information made at informal meeting between representatives of Utilities, Inc., [Commission] staff, and OPC, held 5/1/11. [CLK note: Notice of informal meeting was issued in Docket 110000-OT on 4/27/11, but confidential information being filed pertains to Docket 100426-WS.]  
SOURCE: Lake Utility Services, Inc.

The above confidential material was filed along with a request for confidential classification. In accordance with Section 11.04.C.5.c.(4) of the APM, please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
  - (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 company to contract for services on favorable terms;
  - (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
  - (f) Tax returns or tax-related information;
  - (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information

COM  
APA  
ECR  
GCL  
RAD  
SSC  
ADM  
OPC  
CLK

This response was prepared by Doyle R. Bump on June 2, 2011. I have provided one copy of the full recommendation to the Office of General Counsel and two copies to the Office of Commission Clerk for the docket file and processing of the confidential material.

DOCUMENT NUMBER-DATE

03864 JUN-2 =

FPSC-COMMISSION CLERK

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-**

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**DATE:** June 2, 2011  
**TO:** Keino Young, Senior Attorney, Office of the General Counsel  
**FROM:** Dale R. Buys, Regulatory Analyst IV, Division of Economic Regulation *DRB*  
**RE:** Docket No. 100426-WS; Application of Lake Utility Services, Inc. for an increase in water and wastewater rates in Lake County, Florida. *ALM*  
**Request for Confidential Classification for Docket No. 03521-11**

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On May 20, 2011, Lake Utility Services, Inc. (LUSI or Utility) filed its request for confidential classification for Document No. 03521-11. The document includes information related to the Utility's evaluation and internal audit of the range of salary compensation for certain positions employed by Utilities, Inc. and LUSI. The Utility claims the information is intended to be and is treated as private and confidential and has not been disclosed externally. LUSI claims that the information provided consists of information relating to competitive interests, the disclosure of which would impair the competitive business of the Utility. Staff has reviewed the documents and concurs with the Utility that the nature of the information meets the requirements set forth in Section 367.156, Florida Statutes, whereby disclosure of the information would harm LUSI's competitive business interests and would impair the ability of the Utility to contract for employees on favorable terms. Therefore, staff recommends that LUSI's request for confidential classification of Docket No. 03521-11 be approved.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of  
LAKE UTILITY SERVICES, INC.  
for an increase in water and wastewater  
rates in Lake County, Florida

DOCKET NO.: 100426-WS

**LAKE UTILITY SERVICES, INC.'S**  
**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

LAKE UTILITY SERVICES, INC. (the "Utility"), by and through its undersigned counsel, files this Request for Confidential Classification in relation to documents submitted in response to Staff's request for salary information made at the informal meeting between representatives of Utilities, Inc., Staff and the Office of Public Counsel held on May 6, 2011.<sup>1</sup>

1. Under Section 367.156, Florida Statutes, this Commission has the authority to classify certain material as proprietary confidential business information. This classification exempts the material from public disclosure under Section 119.07(1), Florida Statutes.

2. The Utility requests that certain salary range information provided to Staff pursuant to its above-described request be classified as proprietary confidential business information under Section 367.156(2), Florida Statutes, and Rule 25-22.06, Florida Administrative Code (the "Confidential Information"). If this request is granted, then the subject portions of said response will be exempt from Section 119.07(1), Florida Statutes. Attached hereto as Exhibit "A" is a Justification Matrix providing a justification for the Utility's request. The information is enclosed herein both in highlighted and redacted format.

3. The salary range information produced in response to Staff's request is intended to be and is treated by the utility as private and confidential and has not been disclosed externally and has been strictly controlled internally.

<sup>1</sup> Notice of the informal meeting was issued April 27, 2011, in Docket No. 110000-OT. See Document ID No. 028911. The confidential information is being filed in the above-referenced docket because the information pertains to an issue that will be considered in said docket.

DOCUMENT NUMBER = 03520

MAY 20 =

FPSC - COMMISSION CLERK

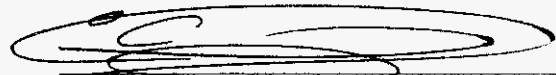
4. The information consists of information relating to competitive interests, the disclosure of which would impair the competitive business of the Utility.

5. Disclosure of the Confidential Information would impede the Utility's ability to contract for services on favorable terms, and would result in harm to the Utility and ratepayers.

WHEREFORE, LAKE UTILITY SERVICES, INC. prays for confidential treatment and the entry of the protective order that is consistent with this Motion.

Respectfully submitted on this 20th day of  
May, 2011 by:

ROSE, SUNDSTROM & BENTLEY, LLP  
766 North Sun Drive, Suite 4030  
Lake Mary, FL 32746  
Telephone: (407) 830-6331  
Facsimile: (407) 830 8255  
Email: [cmarcelli@rsbattorneys.com](mailto:cmarcelli@rsbattorneys.com)




CHRISTIAN MARCELLI  
For the Firm

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 100426-WS**

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification has been hand delivered to the PSC Clerk and furnished by U.S. Mail to the following parties this 20th day of May, 2011:

Stephen Reilly, Esquire  
Office of Public Counsel  
C/o The Florida Legislature  
111 W. Madison Street, Room 812  
Tallahassee, FL 32399-1400

A handwritten signature in black ink, appearing to read 'CHRISTIAN MARCELLI', is written over a horizontal line. The signature is stylized and somewhat cursive.

CHRISTIAN MARCELLI  
For the Firm

## JUSTIFICATION MATRIX

<u>Location</u> (Document name and location of information)	<u>Justification</u> <i>Please note: All information for which the Utility requests confidential treatment has been kept confidential by the Utility, and intends to keep such information confidential.</i>
<p><b><u>Document:</u></b> Utilities, Inc. – Salary Range Justification</p> <p><u>Location:</u> All of Page 1 of 1</p> <p><b><u>Document:</u></b> Salary Range Tables (3 pages)</p> <p><u>Location:</u> Page 1 of 3 through Page 3 of 3; Columns C, D, E, F, and G, with the exception of the total number of positions in the respective tables on each page.</p>	<p>§367.156(3)(a) The salary range information is a trade secret.</p> <p>§367.156(3)(b) The salary range information concerns information developed as part of an internal review/audit of the Utility’s salary ranges and practices.</p> <p>§367.156(3)(d) The salary range information concerns and analyzes salary information, 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) The salary range information is highly sensitive information relating to competitive interests.</p>