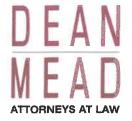
FILED 12/2/2020 DOCUMENT NO. 13054-2020 FPSC - COMMISSION CLERK



Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A. 420 South Orange Avenue, Suite 700 P.O. Box 2346 (ZIP 32802-2346) Orlando, FL 32801

(407) 841-1200 (407) 423-1831 Fax www.deanmead.com

Attorneys and Counselors at Law Orlando Fort Pierce Tallahassee Tampa Viera/Melbourne

MARTIN FRIEDMAN 407-310-2077 mfriedman@deanmead.com

DEC -2 PH 12:

COM e 1 redacted AFD APA

December 1, 2020 Via FedEx

- Adam Teitzman, Commission Clerk
- **ENG** ____Elorida Public Service Commission
- GCL 2540 Shumard Oak Blvd.
- Tallahassee, FL 32399-0850
- CLK RE: Docket No. 20200139-WS; Application for an increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties by Utilities, Inc. of Florida Our Matter No. 072993

Dear Mr. Teitzman:

Enclosed is Utilities, Inc. of Florida's Amended Motion for Protective Order and Request for Confidential Classification along with a USB drive with the redacted documents. Also enclosed is a copy of the Amended Motion along with another USB drive with highlighted and clean copies of the confidential documents.

Should you or Staff have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,

/s/ Martin S. Friedman MARTIN S. FRIEDMAN For the Firm

cc: Walt Trierweiler, Esquire (via email) Stephanie Morse, Esquire (via email)

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 Utilities, Inc. of Florida

DOCKET NO. 20200139-WS

UTILITIES INC.'S AMENDED MOTION FOR PROTECTIVE ORDER AND REQUEST FOR CONFIDENTIAL CLASSIFICATION

UTILITIES, INC. OF FLORIDA ("Utility" or "UIF") by and through its undersigned counsel, and pursuant to Rules 25-22.006(4) & (6), Florida Administrative Code, files this Amended Motion for Protective Order with regard to documents responsive to Staff's Third Request for Production of Documents (No. 15).

1. Staff in its Third Request for Production of Documents No. 15, has requested that the Utility produce all documents that support the Utility's long-term and short-term debt. The Utility treats this information as strictly confidential. This Confidential Information is kept confidential by the Utility because public disclosure would impair the Utility's ability to obtain future financing at the lowest possible rate.

2. The Confidential Information is proprietary confidential business information. Under Section 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.

3. Rule 25-22.006(6)(a), Florida Administrative Code, permits a utility to request a Protective Order protecting proprietary confidential information from discovery. The Utility has previously entered into a confidentiality agreement with OPC, allowing UIF to produce the documents to OPC.

1

4. 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.

WHEREFORE, UTILITIES, INC. OF FLORIDA request the Commission enter a Protective Order against public disclosure of the Confidential Information provided by the Utility in response to Staff's Third Request for Production of Documents, No. 15.

Respectfully submitted this 1st day of December, 2020.

DEAN MEAD 420 South Orange Ave., Suite 700 Orlando, FL 32801 Direct Telephone: (407) 310-2077 Fax: (407) 423-1831 <u>mfriedman@deanmead.com</u> /s/ Martin S. Friedman Martin S. Friedman, Esquire

CERTIFICATE OF SERVICE

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

E-mail to the following parties this 1st day of December, 2020:

J. R. Kelly, Esquire Stephanie Morse, Esquire Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 morse.stephanie@leg.state.fl.us kelly.jr@leg.state.fl.us Jennifer Crawford, Esquire Walter Trierweiler, Esquire Bianca Lherisson, Esquire Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 wtrierwe@psc.state.fl.us jcrawfor@psc.state.fl.us BLheriss@psc.state.fl.us.

<u>/s/ Martin S. Friedman</u> Martin S. Friedman Document Description: Entire Loan Agreement - J.P. Morgan Credit Agreement dated as of July 8, 2011 among Utilities, Inc., The Lender Parties Hereto and JPMorgan Chase Bank, N.A., as Administrative Agent, and all amendments thereto.

<u>Rationale:</u> The Utility treats this information as strictly confidential. This Confidential Information is kept confidential by the Utility because public disclosure would impair the Utility's ability to obtain future financing at the lowest possible rate.

Document Description: Entire Loan Agreement - J.P. Morgan Credit Agreement dated as of November 10, 2009 among Utilities, Inc., The Lender Parties Hereto and JPMorgan Chase Bank, N.A., as Administrative Agent, and all amendments thereto.

<u>Rationale:</u> The Utility treats this information as strictly confidential. This Confidential Information is kept confidential by the Utility because public disclosure would impair the Utility's ability to obtain future financing at the lowest possible rate.

Document Description: Entire Loan Agreement –Credit Agreement dated as of October 23, 2015 among Utilities, Inc., The Lender Parties Hereto and Toronto Dominion (Texas) LLC, as Administrative Agent, and all amendments thereto.

<u>Rationale:</u> The Utility treats this information as strictly confidential. This Confidential Information is kept confidential by the Utility because public disclosure would impair the Utility's ability to obtain future financing at the lowest possible rate.

Document Description: Utilities, Inc. Note Purchase Agreement dated as of October 4, 2018 \$100,000,000 4.37% Collateral Trust Notes Series 2018.

<u>Rationale:</u> The Utility treats this information as strictly confidential. This Confidential Information is kept confidential by the Utility because public disclosure would impair the Utility's ability to obtain future financing at the lowest possible rate.

Document Description: Utilities, Inc. 6.58% Senior Notes dated July 109, 2006.

<u>Rationale:</u> The Utility treats this information as strictly confidential. This Confidential Information is kept confidential by the Utility because public disclosure would impair the Utility's ability to obtain future financing at the lowest possible rate.

Document Description: Utilities, Inc. Master Note Purchase Agreement dated July 19, 2006.

<u>Rationale:</u> The Utility treats this information as strictly confidential. This Confidential Information is kept confidential by the Utility because public disclosure would impair the Utility's ability to obtain future financing at the lowest possible rate.