

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Original Certificate of) DOCKET NO. 20190168-WS
Authorization and Initial Rates and Charges)
for Water and Wastewater Service in Duval,) FILED: June 26, 2020
Baker and Nassau Counties, Florida by)
FIRST COAST REGIONAL UTILITIES,)
INC.)
_____)

**FIRST COAST REGIONAL UTILITIES, INC.’S
REQUEST FOR CONFIDENTIAL TREATMENT
AND MOTION FOR PROTECTIVE ORDER**

Pursuant to Sections 367.156 and 119.07, *Florida Statutes*, and Rule 25-22.006, *Florida Administrative Code*, First Coast Regional Utilities, Inc. (“First Coast”, or “Applicant”) submits the following Request for Confidential Treatment and a Motion for Protective Order for documents produced in its Response to JEA’s Motion for Leave to Serve One Additional Production Request to Applicant and Request for Expedited Response (“Request”) filed January 24, 2022, and granted by the Commission on January 27, 2022.

1. JEA’s Request seeks financial information from 301 Capital Partners, LLC (“301”), First Coast’s parent company.
2. The document responsive to the Request (“Responsive Document”) were created as part of a negotiation between members of 301 and are subject to confidentiality agreements between the parties thereto. Consequently, 301 and First Coast have always treated the responsive documents as confidential and proprietary.
3. First Coast has not attached a line-by-line redaction of the responsive material regarding the Request because 301 and First Coast are asserting confidential treatment for all of the Responsive Document. The Responsive Document contains proprietary confidential information that has always been treated by First Coast as confidential and proprietary. A line-by-

line redaction of the Responsive Document would make it necessary to redact the entirety of the document and there would be no purpose served in attaching blank pieces of paper corresponding to the Request.

4. The material for which confidential treatment and protective order is sought contains proprietary and confidential business information, is intended to be and is treated by First Coast as private, and its disclosure would cause harm to First Coast. Pursuant to Section 367.156, such materials are exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in quest is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

5. The Request seeks information that is already the subject of confidentiality agreements between the members of 301, contains personal financial information, and information relating to competitive interests of 301, the disclosure of which would impair the competitive business of 301. This information is protected by Section 367.156(3).

6. First Coast also seeks a protective order pursuant to Rule 25-22.006(6) setting forth how the Responsive Document is to be handled during the course of the proceeding and prescribe measures for protecting the information from disclosure outside the proceeding.

7. Please note that an unredacted copy of the confidential document in a sealed envelope will attempt to be delivered today in person at the Commission before close of business. In the alternative, if the document is not able to be filed before close of business today it will be delivered in person no later than tomorrow morning.

WHEREFORE, First Coast submits the foregoing as its Request for Confidential Treatment and a Protective Order relating to the Responsive Document to be produced in its response to JEA's Motion.

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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 26th day of January, 2022:

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