

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in water and)
wastewater rates in Alachua, Brevard,)
Highlands, Lake, Lee, Marion, Orange, Palm)
Beach, Pasco, Polk, Putnam, Seminole,)
Sumter, Volusia, and Washington Counties)
by Aqua Utilities Florida, Inc.)
_____)

Docket No. 060368-WS

Dated: August 6, 2007

**AQUA UTILITIES FLORIDA, INC.’S
MOTION FOR PROTECTIVE ORDER
REGARDING SOCIAL SECURITY NUMBERS**

Aqua Utilities Florida, Inc. (“AUF”) by and through its undersigned counsel and pursuant to §§119.071 and 367.157, Florida Statutes, Rule 25-22.006, Florida Administrative Code, and Rule 1.280(c), Florida Rules of Civil Procedure, hereby files this Motion for Protective Order regarding customer social security numbers. As grounds for its request, AUF states as follows:

1. Staff’s Document Request No. 34 states:

34. For each system included in the instant filing, please provide a copy of the completed log that reflects the recorded meter readings taken by the meter reader. This information is to be provided, by month, for the years 2005 and 2006. The applicable month, year, and system name should appear on each log.

2. In response, AUF explained that it does not have documents in the form requested by staff, but can provide meter reading information in the form of Word documents that include all transactions that affected AUF’s Avatar billing system. Such information includes but is not limited to meter reading, changes of address, and customer payments. In addition, however, the documents include customer social security numbers.

3. Social security numbers are confidential pursuant to §119.071(5)5., Florida Statutes, which provides as follows:

Social security numbers held by an agency are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

4. The social security numbers for which AUF seeks protection are found in a series of Word documents that will be provided on a CD identified as Confidential CD 09274. This CD contains approximately 480 such documents, consisting of one document for each working day of the year for a period of 22 months. The number of pages in each document varies; many documents are well over 100 pages long, and a brief sampling by counsel revealed no document under 70 pages. Each document reviewed by counsel contained multiple social security numbers. AUF estimates that there are more than 40,000 pages of documentation on CD 09274, containing thousands of social security numbers.

5. Given the extremely large volume of information to be produced, it would be unreasonably burdensome and expensive to require AUF to engage in the time-consuming task of examining over 40,000 pages of documentation to identify and redact social security numbers. Accordingly, AUF requests the Commission to enter a protective order as authorized by Rule 1.280(c), Florida Rules of Civil Procedure, Rule 25-22.006(a),(b),and (c), Florida Administrative Code, and §367.156, Florida Statutes, that both acknowledges and protects the confidential nature of social security numbers while relieving AUF of the undue burden and expense of reviewing, redacting and reproducing over 40,000 pages of documentation.

6. The protective order sought by AUF is a reasonable and practical solution to the problem of maintaining confidentiality of social security numbers without undue burden and expense. Further, the Commission's issuance of such a protective order will not limit access to or use of non-confidential information by Staff, Public Counsel, or the Attorney General. AUF will file a copy of the CD under confidential cover, and will provide a confidential copy to Public Counsel and the Attorney General pursuant to Rule 25-22.006(6)(b), Florida Administrative Code. Accordingly, all non-confidential information will be freely available to the Commission and parties for use in this case.

WHEREFORE, AUF respectfully requests the Commission to enter a protective order that (a) confirms that the social security numbers in CD 09274 are confidential and protects them

against public disclosure, and (b) relieves AUF of the burdensome and costly duty of redacting such information from the documents produced on CD 09274.

Respectfully submitted this 6th day of August, 2007.

/s/ Marsha E. Rule

Kenneth A. Hoffman, Esquire
Marsha E. Rule, Esquire
Rutledge, Ecenia, Purnell & Hoffman, P.A.
215 South Monroe St., Suite 420
Tallahassee, FL 32301
850.681.6788 (telephone)
850.681.6515 (facsimile)

ATTORNEYS FOR AQUA UTILITIES
FLORIDA, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by email and hand delivery this 6th August, 2007 to the following:

Rosanne Gervasi, Esq.
Ralph Jaeger, Esq.
Katherine Fleming, Esq.
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Stephen C. Reilly, Esq.
Steve Burgess, Esq.
Office of Public Counsel
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400

Office of the Attorney General
Cecelia Bradley
Senior Assistant Attorney General
The Capitol – PL 101
Tallahassee, FL 32399-1050

/s/ Marsha E. Rule

Attorney