

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

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**UTILITIES, INC. OF FLORIDA'S MOTION FOR CONFIDENTIAL
CLASSIFICATION OF INFORMATION PROVIDED TO OPC'S FIRST SET OF
INTERROGATORIES (NOS. 11, 12, 18, & 39)**

UTILITIES, INC. OF FLORIDA ("Utility"), by and through its undersigned counsel, and pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, hereby requests confidential classification as to certain confidential documents submitted to the Office of Public Counsel ("OPC") in response to OPC's First Interrogatories Nos. 11, 12, 18, & 39. As grounds therefore, the Utility states:

1. OPC, via its Interrogatory Nos. 11, 12, 18, & 39 has requested certain salary information. Salary information has consistently been held as confidential. The Utility treats employee compensation policy and actual compensation information as strictly confidential. This information should be classified as proprietary confidential business information because its disclosure would impair the Utility's competitive interests, provide other utility companies information to lure employees away (thereby driving up salaries and rates), and create circumstances under which infighting and employee morale could be negatively affected. See, *Florida Power & Light Company et al. v. Public Service Commission*, 31 So. 3d 860 (Fla. 1st DCA 2010). Further, requiring the disclosure of each employee's compensation information violates each employee's right to privacy under Article I, Section 23 of the Florida Constitution. This Commission has consistently recognized the confidentiality of salary information on numerous occasions. See, for example, Order Nos. PSC-14-0125-CFO-WS, PSC-14-0060-CFO-WS and PSC-2017-0154-CFO-WS. Also, the corporate policy

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regarding employee compensation was developed by UIF's parent, and is proprietary to that company. Further, such information should be considered confidential for the same reasons as actual compensation amounts.

2. Highlighted and redacted copies of the Confidential Documents are provided herewith on separate flash drives. The justification table is attached hereto.

3. 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.

4. Upon a finding by the Commission that the information contained in the Confidential Information is proprietary and confidential business information, the information should not be declassified for at least eighteen (18) months and should be returned to UIF as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, UTILITIES, INC. OF FLORIDA requests the Commission enter an Order that the information provided by the Utility in response to Interrogatory Nos. 11, 12, 18, & 39 be deemed Confidential Information.

Respectfully submitted this 29th day of January,
2021.

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For the Firm

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 29th day of January, 2021:

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JUSTIFICATION SCHEDULE

Document Name	Description	Line/Col.	Legal Citation
OPC Irog #11	Employee Salary Information	All Columns with salary amounts	<i>Florida Power & Light Company et al. v. Public Service Commission, 31 So. 3d 860 (Fla. 1st DCA 2010)</i>
OPC Irog #12	Employee Salary Increases	All Columns with salary amounts	<i>Florida Power & Light Company et al. v. Public Service Commission, 31 So. 3d 860 (Fla. 1st DCA 2010)</i>
OPC Irog #18	Description of Incentive Compensation Program	All	367.156(3), F.S.
OPC Irog #20	Historical Compensation	All Columns with salary amounts	<i>Florida Power & Light Company et al. v. Public Service Commission, 31 So. 3d 860 (Fla. 1st DCA 2010)</i>
OPC Irog #39	Officer Salaries	All Columns with salary amounts	<i>Florida Power & Light Company et al. v. Public Service Commission, 31 So. 3d 860 (Fla. 1st DCA 2010)</i>