

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 Sunshine Water Services Company.

DOCKET NO. 20240068-WS
ORDER NO. PSC-2025-0098-CFO-WS
ISSUED: March 27, 2025

ORDER GRANTING SUNSHINE WATER SERVICES COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DN 07094-2024)

On June 28, 2024, pursuant to Rule 25-22.006, Florida Administrative Code (F.A.C.), Sunshine Water Services Company (Sunshine) filed a request for confidential classification (Request) of certain information within Exhibit DMD-1 to the Prefiled Direct Testimony of Dante M. DeStefano on behalf of Sunshine (Exhibit DMD-1). Exhibit DMD-1 is a Cost Allocation Manual developed by Corix Infrastructure Inc. (Corix), which is Sunshine's ultimate parent company. (DN 07094-2024)

Request for Confidential Classification

Sunshine contends that designated portions of the information constitute proprietary confidential business information entitled to protection under Section 367.156, Florida Statutes (F.S), and Rule 25-22.006, F.A.C. The information at issue is included in Corix's Cost Allocation Manual and would divulge an explanation of its services provided to Sunshine and the methods used to allocate costs to Corix's operating businesses. Sunshine asserts that disclosure of the confidential information in the documents is intended to be proprietary, is treated as proprietary, and has not been publicly disclosed. Sunshine requests that the Commission grant confidential classification for the documents for a period of 18 months from the date of the issuance of this Order, pursuant to Section 367.156(4), F.S.

Sunshine contends that the redacted terms in Exhibit DMD-1 to the Pre-Filed Direct Testimony of Dante M. DeStefano represent confidential information as a trade secret that, if disclosed, would provide an economic value to others. Sunshine further contends that allowing competing business access to the information would impair the competitive interest of the Corix group of companies by allowing them to evaluate the various business entities. Sunshine argues that such information is entitled to confidential classification pursuant to Section 367.156(3)(a) and (e), F.S.

Ruling

Section 367.156(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential

and shall be exempt from Chapter 119, F.S. Section 367.156(3), F.S., defines proprietary confidential business information as information that is intended to be and is treated by the company as private, in that disclosure of the information would cause harm to the company's ratepayers or business operations, and has not been voluntarily disclosed to the public. Section 367.156(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the utility or its affiliates to contract for goods or services on favorable terms.

(e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.

Upon review, it appears the above-referenced information satisfies the criteria set forth in Section 367.156(3), F.S., for classification as proprietary confidential business information. The information constitutes "information concerning bids or other contractual data, the disclosure of which would impair the efforts of the utility or its affiliates to contract for goods or services on favorable terms," and "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." Thus, the information identified in Document No. 07094-2024 shall be granted confidential classification.

Pursuant to Section 367.156(4), F.S., the information for which confidential classification is granted herein shall remain protected from disclosure for a period of up to 18 months from the date of issuance of this Order. At the conclusion of the 18-month period, the confidential information will no longer be exempt from Section 119.07(1), F.S., unless Sunshine, or another affected person shows, and the Commission finds, that the records continue to contain proprietary confidential business information.

Based on the foregoing, it is

ORDERED by Commissioner Andrew Giles Fay as Prehearing Officer, that Sunshine Water Services Company's Request for Confidential Classification of Document No. 07094-2024 is granted. It is further

ORDERED that the information in Document No. 07094-2024 for which confidential classification has been granted shall remain protected from disclosure for a period of 18 months from the date of issuance of this Order. At the conclusion of the 18-month period, the confidential information will no longer be exempt from Section 119.07(1), F.S., unless Sunshine Water Services Company or another affected person shows, and the Commission finds, that the records continue to contain proprietary confidential business information. It is further

ORDERED that this Order shall be the only notification by the Commission to the parties of the date of declassification of the materials discussed herein.

By ORDER of Commissioner Andrew Giles Fay, as Prehearing Officer, this 27th day of March, 2025.



ANDREW GILES FAY
Commissioner and Prehearing Officer
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.