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March 27, 2025

Adam Teitzman, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED-FPSC
2025 MAR 28 PM 3:19
COMMISSION
CLERK

Re: Docket No. 20240108-SU - Application for increase in wastewater rates in Monroe County,
by K W Resort Utilities Corp.

Dear Mr. Teitzman:

On behalf of K W Resort Utilities Corp., enclosed is the original of its Request for Confidential Classification with the redacted confidential document for filing in this Docket. Also enclosed in a separate envelope is a highlighted copy of the confidential document.

Should you or Staff have any questions regarding this response please do not hesitate to contact me.

Very truly yours,



Martin Friedman

MSF:

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for increase in
wastewater rates in Monroe County
by K W Resort Utilities Corp.

DOCKET NO. 20240108-SU

K W RESORT UTILITIES CORP.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION

K W Resort Utilities Corp. (“Utility”) by and through its undersigned counsel, and pursuant to Rules 25-22.006(4), Florida Administrative Code, files this Request for Confidential Classification with regard to documents responsive to Staff’s Second Data Request Nos. 2, 12 and 19. (“Staff Data Request”).

In Staff’s Second Data Request, No. 2 the Staff requested the Utility to “provide documentation for all filled and vacant positions as well as employee names including executive/officer names, their titles, and salaries, during the test year,” No. 12 requests information on officer salaries, and in No. 19 requests the calculation of pro forma salary adjustments. The response to the Staff’s Data Request requires the disclosure of certain salary information for officers and employees of the Utility (“Confidential Documents”). The Utility treats officer and employee 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-2014-0125-CFO-WS, PSC-2014-0060-CFO-WS, PSC-2017-0154-CFO-WS, and PSC-2021-0308-CFO-WS.

1. Pursuant to 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.

2. Pursuant to Rule 25-22.006, Florida Administrative Code, the Confidential Information is exempt from Section 119.07(1), Florida Statutes, pending the Commissions' ruling on this Motion.

3. Highlighted copies of the Confidential Documents are provided to the Clerk with this Motion in an envelope marked "Confidential". The Justification Schedule is attached.

4. Upon a finding by the Commission that the information is proprietary and confidential business information, the information should not be declassified for at least 18 months and should be returned to the undersigned as soon as it is no longer necessary for the Commission to conduct it business.

WHEREFORE, K W Resort Utilities Corp. requests the Commission enter an Order determining that the Confidential Documents provided by the Utility in response to Staff's Second Data Request, Nos. 2, 12 & 19 are confidential and not subject to public disclosure.

Respectfully submitted this 27th day of March, 2025.

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Martin S. Friedman, Esquire

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to the following parties this 27th day of March, 2025:

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/s/ Martin S. Friedman
Martin S. Friedman

JUSTIFICATION SCHEDULE

Document Name	Description	Line/Col.	Legal Citation
<u>Staff 2DR</u> - #2, 12 & #19	The columns with salary information	The columns with salary information	Section 367.156, Florida Statutes <i>Florida Power & Light Company et al. v. Public Service Commission</i> , 31 So. 3d 860 (Fla. 1st DCA 2010) Order Nos. PSC-2014-0125-CFO-WS, PSC-2014-0060-CFO-WS, PSC-2017-0154-CFO-WS, and PSC-2021-0308-CFO-WS.

2DR - #2

[illegible]

2DR - #12

2020

Officer	Compensation	Longevity	Benefits
Christopher Johnson - President	\$		
Greg Wright - Vice President	\$		
Total	\$		

2021

Officer	Compensation	Longevity	Benefits
Christopher Johnson - President	\$		
Greg Wright - Vice President	\$		
Total	\$		

2022

Officer	Compensation	Longevity	Benefits
Christopher Johnson - President	\$		
Greg Wright - Vice President	\$		
Total	\$		

2023

Officer	Compesation	Longevity	Benefits
Christopher Johnson - President	\$		
Greg Wright - Vice President	\$		
Total	\$		

2024

Officer	Compensation	Longevity	Benefits
Christopher Johnson - President	\$		
Greg Wright - Vice President	\$		
Total	\$		

KWRU Pay and Raise Schedule July 1 2024 - June 30, 2025

Employee	Starting at Night or On-call July 1, 2024	Age	Years of Service	On-Call P	OT P	RAISE DATE for Period between July 1, 2024 and June 30, 2025	Salary as of July 1, 2024 (Base)	On-Call	Base Salary	On-Call P	OT P	Annual Base	Annual on Call Pay	Annual Overtime Amount	Total Annual Earnings
Operations															
Amboise, Pierre						7/3/2025									
Hinton, Brian K						8/7/2024									
Jean, Gerald						9/23/2024									
Russo, Michael						9/5/2024									
Maratita, Marvin						9/5/2024									
Sawyer, Jarred						N.A.									
Naese, Jeremy															
Management															
Postma, Joel						8/5/2024									
Pfelffer, Andrew						8/7/2025									
Admin															
Barrros, Robert						3/30/2025									
Vora, Clara						1/11/2025									
Barrros, Melinda						5/17/2025									
Officers															
Johnson, Christopher						N.A.									
Wright, Greg						6/15/2025									
Longevity Pay	By Quarter	2-4 Years	5-9 Years	10-14 Years	15-19 Years	20-24 Years	Total								
Amount Longevity Pay per	\$ 300.00	\$ 7,200.00	\$ 2,200.00	\$ 1,400.00	\$ 1,700.00	\$ 2,000.00	\$ 14,800.00								\$ 14,800.00
Employees	1	8	2	1	1	1	14								\$ 1,348,590.13

* On Call pay requires employee be within 20 minutes of service area 24/7 for their one week period on call. On Call Pay = 6 hours Regular pay. Employees are on call on average of 13 times per year.

** Overtime Hours are estimated for the period 7/1/24 to 6/30/25 by utilizing all available payroll data to date (112 days) and annualizing OT hours by employee. A monthly average OT hours worked is applied each month evenly throughout the 12 months of the year.

Payroll Taxes July 1, 2023 - June 30, 2024 From QB	\$ 103,202.24
Employee Benefit/Health/Work Comp July 1, 2023 - June 30, 2024 From QB	\$ 317,458.22
Profit Sharing July 1, 2023 - June 30, 2024 From QB	\$ 26,495.95
Payroll Admin Cost From QB	\$ 12,819.20
Total	\$ 459,975.61

Payroll OT Hours for period
6/30/2024 . TO 10/20/2024

Total OT for the period **Annualized Hours OT**
112 days **based on actual OT hours**
 From 6/30/24 to present (10/20/24)

Amboise, Pierre
Hinton, Brian K
Jean, Gerald
Russo, Michael
Maratita, Marvin
Sawyer, Jarred
Naese, Jeremy
Managers
Postma, Joel
Pfeiffer, Andrew

