

# Holland & Knight

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October 30, 2009

VIA HAND-DELIVERY

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COMMISSION  
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Ms. Ann Cole, Director  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Room 110  
Tallahassee, FL 32399-0850

Re: *In Re: Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc., Docket No. 080121-WS*

Dear Ms. Cole :

Pursuant to Rule 25-22.006(4), Florida Administrative Code, enclosed for filing on behalf of Aqua Utilities Florida, Inc. ("AUF") are the original and fifteen (15) copies of AUF's Request for Confidential Classification of Supplemental Customer-Specific Information Requested by Staff ("Supplemental Request"). Attached to the Request is a separate, sealed envelope which contains the following:

COM \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL 1  
OPC \_\_\_\_\_  
RCP 13  
SSC \_\_\_\_\_  
SGA \_\_\_\_\_  
ADM \_\_\_\_\_  
CLK 1

- 1) Confidential Exhibit "A". Confidential Exhibit "A" is comprised of one (1) compact disc ("CD") containing the July 17, 2009 sound recordings of specific customer calls requested by staff. Because the information in Confidential Exhibit "A" is stored in electronic format, it is not possible to redact the confidential information contained therein.

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Northern Virginia | Orlando | Portland | San Francisco | Tallahassee | Tampa | Washington, D.C. | West Palm Beach  
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\* Representative Office

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Ann Cole  
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For our records, please acknowledge your receipt of this filing on the enclosed copy of this letter. Thank you for your assistance with this filing.

Sincerely,

HOLLAND & KNIGHT LLP

  
D. Bruce May, Jr.

DBM:kjg

Enclosures

cc: Ralph Jaeger, Esq.  
Katherine Fleming, Esq.  
Caroline Klancke, Esq.  
Erik Sayler, Esq.  
Charles Beck, Esq.  
Cecilia Bradley, Esq.  
Kimberly A. Joyce, Esq.

# 8938120\_v1

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

**DOCKET NO. 080121-WS**

**FILED: October 30, 2009**

**AQUA UTILITIES FLORIDA, INC.'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF SUPPLEMENTAL  
CUSTOMER-SPECIFIC INFORMATION REQUESTED BY STAFF**

Aqua Utilities Florida, Inc. ("AUF"), pursuant to Section 367.156, Florida Statutes, and Rule 25-22.006(4), Florida Administrative Code, respectfully requests confidential classification of supplemental customer-specific information requested by staff (the "Request"). In support of the Request, AUF states:

1. In accordance with the Quality of Service Monitoring Plan in Order No. PSC-09-0385-FOF-WS (the "Order"), AUF is required to submit to the Commission (i) a monthly report listing all customer complaints for the first six (6) months after the Order is issued and (ii) sound recordings of customer complaints for the same period. Order at 22. In compliance with those directives, AUF has filed with the Commission the reports and sound recordings of all customer inquiries (including complaints) for the months of May, June, July, August and September 2009, respectively.

2. The sound recordings submitted by AUF reflect dialogues between the customer and AUF' customer service representatives which necessarily involves sensitive customer-specific information such as proprietary credit card data, Social Security number, bank account number, customer medical condition, address, and other highly confidential customer-specific information, disclosure of which would harm the privacy interests of individual customers and subject those customers to other harm, including potential identity theft. Consequently, AUF has

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formally requested confidential classification of that customer-specific information on June 22, July 20, July 23, August 20, August 31, September 21, and October 20, 2009 ("Prior Requests").

3. Earlier this month, Commission staff contacted AUF and advised that it was having difficulty opening the disc containing sound recordings of customer inquiries made on July 17, 2009. Staff requested that AUF supplement its prior filing for the month of July and provide staff with another disc of sound recordings for July 17, 2009.

### **Sound Recordings**

4. In response to staff's request, AUF is supplementing its prior filing by submitting a new disc of sound recordings of customer calls made on July 17, 2009. In accordance with Florida Administrative Code Rule 25-22.006(4)(b), one (1) unedited disc containing the requested sound recordings is attached as Confidential Exhibit "A". Pursuant to Florida Administrative Code Rule 25-22.006, detailed justification for the confidential classification of the sound recordings has been set forth in AUF's Prior Requests. Because the information in Confidential Exhibit "A" is stored in electronic format, it is not possible to redact the confidential information contained therein. This CD has been placed in a sealed envelope marked "CONFIDENTIAL" and should receive confidential treatment by the Commission.

WHEREFORE, based on the foregoing and for the reasons set forth in AUF's Prior Requests, AUF requests that the electronically stored customer-specific information contained in the CD attached in Confidential Exhibit "A" be classified as confidential and exempt from Chapter 119, Florida Statutes, and Article I, Section 24(a), of the Florida Constitution for the maximum period.

Respectfully submitted this 30th day of October, 2009 by:



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**D. Bruce May, Jr.**  
Florida Bar No. 354473

**Gigi Rollini**  
Florida Bar No. 684491  
Holland & Knight, LLP  
Post Office Drawer 810  
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*Counsel for Aqua Utilities Florida, Inc.*

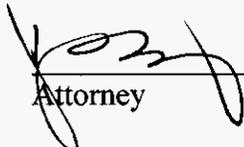
**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was furnished by hand delivery this 30th day of October, 2009 to the following:

Charles Beck, Esq.  
Stephen C. Reilly, Esq.  
Office of Public Counsel  
111 West Madison Street  
Room 812  
Tallahassee, Florida 32399-1400

Cecilia Bradley, Esq.  
Office of the Attorney General  
The Capitol – PL01  
Tallahassee, FL 32399-1050

Ralph Jaeger, Esq.  
Katherine Fleming, Esq.  
Caroline Klancke, Esq.  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



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Attorney

Aqua Utilities Florida, Inc.

Sound Recordings

For July 17, 2009

**CONFIDENTIAL**

EXHIBIT A

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
NANCY ARGENZIANO  
NATHAN A. SKOP  
DAVID E. KLEMENT

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

# Public Service Commission

## ACKNOWLEDGEMENT

DATE: October 30, 2009

TO: Bruce May, Holland & Knight Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080121 or, if filed in an undocketed matter, concerning supplemental customer-specific information requested by staff, and filed on behalf of Aqua. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.

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Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)