

# Holland & Knight

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D. Bruce May, Jr.  
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December 10, 2009

**VIA HAND-DELIVERY**

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 ("Request"). Attached to the Request is a separate, sealed envelope which contains the following:

- 1) Confidential Exhibit "A". Confidential Exhibit "A" is comprised of ten (10) compact discs ("CDs") containing the sound recordings of specific customer calls requested by staff labeled 2, 3, 4, 6, 7, 8, 11, 12, 14 and 21. 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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Ann Cole  
December 10, 2009  
Page 2

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.

# 9025663\_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: December 10, 2009

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**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, September and October 2009, respectively.

2. The sound recordings submitted by AUF reflect dialogues between the customer and AUF's 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

DOCUMENT NUMBER - DATE

11866 DEC 10 8

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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, October 20, October 30, November 6 and November 19, 2009 ("Prior Requests").

3. Commission staff recently contacted AUF and advised that it was having difficulty opening certain discs containing sound recordings of customer inquires submitted for the month of October 2009. Staff requested that AUF supplement its prior filing and provide staff with replacement discs of the sound recordings labeled as follows:

<b>Disc Number</b>	<b>Dated</b>
2 of 22	October 2, 2009
3 of 22	October 5, 2009
4 of 22	October 6, 2009
6 of 22	October 8, 2009
7 of 22	October 9, 2009
8 of 22	October 12, 2009
11 of 22	October 15, 2009
12 of 22	October 16, 2009
14 of 22	October 20, 2009
21 of 22	October 29, 2009

#### **Sound Recordings**

4. Pursuant to staff's request, AUF is supplementing its prior filing on November 19, 2009 by submitting new replacement discs of sound recordings as listed above. In accordance with Florida Administrative Code Rule 25-22.006(4)(b), ten (10) unedited discs containing the requested sound recordings are 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. These discs have 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 discs 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 10th day of December, 2009 by:



**D. Bruce May, Jr.**

Florida Bar No. 354473

**Gigi Rollini**

Florida Bar No. 684491

Holland & Knight, LLP

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(850) 224-8832 (Facsimile)

*Counsel for Aqua Utilities Florida, Inc.*

**CERTIFICATE OF SERVICE**


I hereby certify that a copy of the foregoing was furnished by U.S. Mail this 10th day of

December, 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

Ralph Jaeger, Esq.  
Katherine Fleming, Esq.  
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\_\_\_\_\_  
Attorney

# 9025847\_v1

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STATE OF FLORIDA



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# Public Service Commission

## ACKNOWLEDGEMENT

DATE: December 10, 2009

TO: Bruce May, Holland & Knight

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, provided on 10 CDs (2, 3, 4, 6, 7, 8, 11, 12, 14, and 21), 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)

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