

Dorothy Menasco

From: Dana Rudolf [DRudolf@RSBattorneys.com]
Sent: Wednesday, December 21, 2011 4:38 PM
To: Filings@psc.state.fl.us
Cc: Martin Friedman; Hyma Vedula
Subject: Docket No. 110153-SU; Utilities, Inc. of Eagle Ridge's Application for Increase in Wastewater Rate in Lee County, Florida

Attachments: PSC Clerk 13 (Revised Justification Table).ltr.pdf

- a) Martin S. Friedman, Esquire
Rose, Sundstrom & Bentley, LLP
766 North Sun Drive, Suite 4030
Lake Mary, FL 32746
(407) 830-6331
mfriedman@rsbattorneys.com
- b) Docket No. 110153-SU
Utilities, Inc. of Eagle Ridge's Application for Increase in Wastewater Rate in Lee County, Florida
- c) Utilities, Inc. of Eagle Ridge
- d) 4 pages
- e) Revised Justification Table for the Request for Confidential Classification dated December 16, 2011.

12/21/2011

DOCUMENT NUMBER DATE
09098 DEC 21 =
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LAW OFFICES

ROSE, SUNDBSTROM & BENTLEY, LLP

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Please Respond to the Lake Mary Office

December 21, 2011

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Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No.: 110153-SU; Application of Utilities, Inc. of Eagle Ridge for an
Increase in Wastewater Rates in Lee County, Florida
Our File No. 30057.197

Dear Ms. Cole:

Enclosed for filing in the above-referenced matter is the Utility's Revised
Justification Table for the Request for Confidential Classification dated December 16,
2011.

Please feel free to contact me if you have any questions or concerns.

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

MSF/der
Enclosure

cc: Ms. Hyma Vedula (w/enclosures) (via e-mail)

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REVISED JUSTIFICATION MATRIX
(Revised on December 21, 2011 to include justification for the Loan Document)

<u>Location</u> (Specific request w/page number)	<u>Justification</u> <i>Please note: All information for which the Utility requests confidential treatment has been kept confidential by the Utility, and intends to keep such information confidential.</i>
Workpaper 31-3 (All of amounts in the columns on pp. 4-7) (All of pp. 8-21)	§367.156(3)(a), §367.156(3)(b), §367.156(3)(d), §367.156(3)(e) These are the Utility's audited Consolidated Financial Statements prepared by its internal auditors, and constitute a report of the internal auditor and present the scope of the audit and origin of the auditors. These highly sensitive documents also contain confidential information that could be used to discern trade secrets, damage competitive interests, or harm the company's ability to contract for goods and services on favorable terms.
Workpaper 44-1 (The columns of salary information of pp. 1-9)	<p>§367.156(3)(d) Disclosure of compensation data, overtime data and salary increase data would impair the ability of the Utility to contract for employees on favorable terms.</p> <p>§367.156(3)(e) Disclosure of the compensation data would impair the Utility's competitive interests as described in <u>Florida Power & Light Company et al. v. Public Service Commission</u>, 31 So. 3d 860 (Fla. 1st DCA 2010). The Utility keeps this information strictly confidential to prevent other utilities from stealing their employees and to prevent lowered morale and infighting among employees who have the same position but varying wages.</p> <p>Article I, Section 23 of the Florida Constitution. Disclosure of the information would invade the privacy rights of the employee.</p>

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<p>Workpaper 44-1/1-1 (The columns of salary information of pp. 1-7)</p>	<p>§367.156(3)(d) Disclosure of compensation data, overtime data and salary increase data would impair the ability of the Utility to contract for employees on favorable terms.</p> <p>§367.156(3)(e) Disclosure of the compensation data would impair the Utility's competitive interests as described in <u>Florida Power & Light Company et al. v. Public Service Commission</u>, 31 So. 3d 860 (Fla. 1st DCA 2010). The Utility keeps this information strictly confidential to prevent other utilities from stealing their employees and to prevent lowered morale and infighting among employees who have the same position but varying wages.</p> <p>Article I, Section 23 of the Florida Constitution. Disclosure of the information would invade the privacy rights of the employee.</p>
<p>Workpaper 44-1/4-1/1 (Benefits amounts on pp. 1-3)</p>	<p>§367.156(3)(d) These documents are Audit Staff's workpapers and notes detailing confidential compensation information. Disclosure of such compensation data, overtime data and salary increase data would impair the ability of the Utility to contract for employees on favorable terms.</p> <p>§367.156(3)(e) Disclosure of the compensation data would impair the Utility's competitive interests as described in <u>Florida Power & Light Company et al. v. Public Service Commission</u>, 31 So. 3d 860 (Fla. 1st DCA 2010). The Utility keeps this information strictly confidential to prevent other utilities from stealing their employees and to prevent lowered morale and infighting among employees who have the same position but varying wages.</p> <p>Article I, Section 23 of the Florida Constitution. Disclosure of the information would invade the privacy rights of the employee.</p>

Memorandum of Closing Documents
(p. 1 amount and pp. 2-74 all)

§367.156(3)(a), §367.156(3)(b), §367.156(3)(d), §367.156(3)(e) These are the Utility's Master Loan Documents. These highly sensitive documents also contain confidential information that could be used to discern trade secrets, damage competitive interests, or harm the company's ability to contract for goods and services on favorable terms.