

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application to transfer wastewater facilities and Certificate No. 137-S in Brevard County from Colony Park Utilities, Inc. to Colony Park Development Utilities, LLC.

DOCKET NO. 120285-SU
ORDER NO. PSC-14-0520-CFO-SU
ISSUED: September 30, 2014

ORDER GRANTING COLONY PARK DEVELOPMENT UTILITIES, LLC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION (DOCUMENT NO. 05133-13)

On August 30, 2013, pursuant to Section 367.156, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), Colony Park Development Utilities, LLC. (Colony Park), files this Request for Confidential Classification (Request) in relation to personal financial statements and supporting documents submitted in connection with the transfer of Colony Park. This Request was filed in Docket No. 120285-SU.

Request for Confidential Classification

Colony Park contends that the information provided in its filing on August 30, 2013, as more specifically described in Exhibit C attached to Colony Park's Request, constitutes proprietary confidential business information entitled to protection under Section 367.156, F.S., and Rule 25-22.006, F.A.C. Colony Park argues that this information is intended to be and is treated by Colony Park as private and has not been publicly disclosed.

Colony Park is requesting confidential classification of the responsive information because it contains personal financial information of one of the individuals purchasing Colony Park. The data includes his net worth, descriptions of personal financial assets and holdings, date of birth and driver's license data. Colony Park asserts that the disclosure of this information may place the individual at risk for identity theft, fraud or other harm, and should therefore remain confidential.

Ruling

Section 367.156(1), F.S., provides that records the Florida Public Service Commission has found to contain proprietary business information shall be kept confidential and 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 Utility as private, in that disclosure of the information would cause harm to the Utility's ratepayers or business operations, and has not been voluntarily disclosed to the public. Section 367.156, F.S., provides that proprietary confidential business information includes, but is not limited to:

- (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

ORDER NO. PSC-14-0520-CFO-SU

DOCKET NO. 120285-SU

PAGE 2

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 appears to contain employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. Therefore, the information identified in Document No. 05133-13 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 Colony Park or another affected person shows, and the Commission finds, that the records continue to contain proprietary confidential business information.

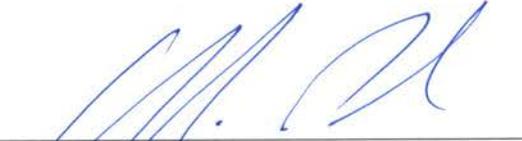
Based on the foregoing, it is hereby

ORDERED by Commissioner Eduardo E. Balbis, as Prehearing Officer, that Colony Park Development Utilities, LLC.'s Request for Confidential Classification is granted. It is further

ORDERED that the information identified in Document No. 05133-13 for which confidential classification has been granted shall remain protected from disclosure for a period of up to 18 months from the date of issuance of this Order. 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 Eduardo E. Balbis, as Prehearing Officer, this 30th day of September, 2014.



EDUARDO E. BALBIS
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.

MTL

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.