

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval of transfer of  
Certificate No. 116-W from Holiday Gardens  
Utilities, Inc. to Holiday Gardens Utilities, LLC  
In Pasco County

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Docket No. 140176-WU

**MICHAEL SMALLRIDGE'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Michael Smallridge (“Smallridge”), by and through his undersigned counsel, files this Request for Confidential Classification in relation to Document No. 02723-15 filed in response to Staff’s Fourth Data Request dated April 29, 2015.

1. Pursuant to 367.156, Florida Statutes, this Commission has the authority to classify certain material as proprietary confidential business information. This classification exempts the material from public disclosure under Section 119.07(1), Florida Statutes.

2. Smallridge requests that his Individual Tax Returns be classified as proprietary confidential business information under Section 367.156, Florida Statutes, and Rule 25-22.006, Florida Administrative Code (the “Confidential Information”). If this request is granted, then the subject portions of said Individual Tax Returns will be exempt from Section 119.07(1), Florida Statutes. Attached hereto as Exhibit “A” is a Justification Matrix providing a justification for Smallridge’s request.

3. The Individual Tax Returns produced in response to Staff’s Fourth Data Request and are intended to be and is treated by Smallridge as private and confidential and have not been disclosed externally and has been strictly controlled internally.

4. The information consists of the Individual Tax Returns of the owner of Holiday Gardens Utility, LLC (“Utility”), filed jointly with his wife. This information should be classified as proprietary confidential business information because it is the personal financial information of the

owner unrelated to his compensation from the Utility, and disclosure would impair the owner's competitive interests as he moves to acquire other systems in the future.

5. Requiring the disclosure of the owner's Individual Tax Returns would violate Smallridge's right to privacy under Article I, Section 23 of the Florida Constitution.

WHEREFORE, Michael Smallridge requests confidential treatment of the referenced documents and the entry of the protective order that is consistent with this Motion.

Respectfully submitted this 20<sup>th</sup> day of May,  
2015, by:

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/s/ Martin S. Friedman  
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For the Firm

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 140176-WS**

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification has been e-filed with the PSC Clerk and copies furnished by E-Mail to the following parties this 20<sup>th</sup> day of May, 2015:

Suzanne Brownless, Esquire  
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Florida Public Service Commission  
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/s/ Martin S. Friedman  
MARTIN S. FRIEDMAN  
For the Firm

JUSTIFICATION MATRIX

Location (Document name and location of information)	Justification
<p><b><u>2011, 2012 &amp; 2103 Individual Tax Returns</u></b></p> <p>Social Security Number and all financial information</p>	<p>The requested financial information of the owner is not related to any ratemaking function with regard to the Utility.</p> <p>§367.156(3)(e) Disclosure of the compensation data would impair the owner's competitive interests he may acquire other utilities in the future.</p> <p>The financial information relates to the owner in his ownership capacity, and is not information of the Utility.</p> <p>Article I, Section 23 of the Florida Constitution. Disclosure of the information would invade the privacy rights of the owner.</p>