

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** September 30, 2016

**TO:** Walter Trierweiler, Senior Attorney, Office of the General Counsel

**FROM:** Dylan Andrews, Public Utility Analyst I, Division of Accounting & Finance *DA*

**RE:** Pine Harbour (Rendell) - (CONFIDENTIAL) Shareholder's personal financial records.

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Pursuant to 347.156, Florida Statutes (F.S), and Rule 25-22.006, Florida Administrative Codes, Pine Harbour requested confidential classification of certain highlighted information on Document No. 04826-16. Staff has reviewed Pine Harbour's confidentiality request and agrees that the nature of the information meets the requirements set forth in Section 367.156, F.S. Therefore, staff recommends that the request for confidentiality of certain information included in Document No. 04821-16 be approved.

RECEIVED-FPSC  
2016 OCT -5 PM 2:59  
COMMISSION  
CLERK



**Public Service Commission**  
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TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** July 14, 2016

**TO:** Division of Engineering, Office of Primary Responsibility

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO(s): 160169-WU DOCUMENT NO(s): 04826-16  
DESCRIPTION: Pine Harbour (Rendell) - (CONFIDENTIAL) Shareholder's personal financial records.  
SOURCE: Pine Harbour Waterworks, Inc.

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The above confidential material was filed with a request of confidential classification (DN 04821-16). Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
  - (a) Trade secrets;
  - (b) Internal auditing controls and reports of internal auditors;
  - (c) Security measures, systems, or procedures;
  - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;
  - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
  - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Dylan Andrews on 9/30/2016, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

# Pine Harbour Waterworks, Inc.

July 8, 2016

Office of Commission Clerk  
Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

RECEIVED-FPSC  
2016 JUL 13 AM 9:11  
COMMISSION  
CLERK

*Re: Pine Harbour Waterworks, Inc. application for approval of transfer of Pine Harbour Water Utilities, LLC in Lake County, Florida – Request for Confidential Classification Pursuant to Section 367.156(3), Florida Statutes*

Dear Commission Clerk,

Pine Harbour Waterworks, Inc. (Pine Harbour) pursuant to 367.156(3), Florida Statutes (F.S.), and Rule 25-22.006(3) & (4), Florida Administrative Codes, requests confidential classification of the shareholder's personal financial records required by Rule 25-30.037(2)(1), Florida Administrative Code. Specifically, the rule requires the personal financial statements of the individual owners of Pine Harbour, the disclosure of which would harm the privacy interests of individual persons and subject those persons to other harm including potential identity theft and could provide unauthorized access to third parties.

The personal financial statements are those of the individual owners and not of a related company and/or parent corporation. This information should be considered proprietary confidential information in that is (i) intended to be and is treated as private, confidential information by the Company (Pine Harbour), (ii) because disclosure of the information would cause irreparable harm to the Company's business operation and personal interests of the shareholders, and (iii) the information has not been voluntarily disclosed to the public. Again, this personal financial information of individual persons who own the utility, and not of those of a regulated utility or related business. This personal financial information will include such information as, (a) personal residences, (b) personal bank accounts, (c) personal vehicles, (d) personal investments, (e) personal retirement funds and/or investments, (f) personal indebtedness, (g) personal mortgages, etc. This information is not commonly available for public disclosure on a personal individual nature.

Pine Harbour Waterworks, Inc. respectfully submits that the requested personal financial information of individual persons, not businesses, is not contemplated to be covered under Section 367.156, FS. Specifically, Section 367.156(1), FS, states:

367.156 Public utility records; confidentiality.—

(1) The commission shall continue to have reasonable access to all utility records and records of affiliated companies, including its parent company, regarding transactions or cost allocations among the utility and such affiliated

Pine Harbour Waterworks, Inc.  
Request of Confidential Classification  
July 8, 2016

companies, and such records necessary to ensure that a utility's ratepayers do not subsidize nonutility activities. (Emphasis added)

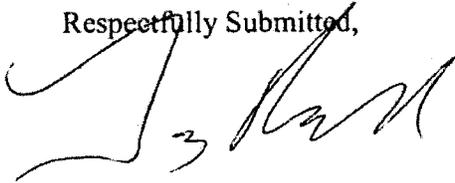
As stated previously, the information requested is of a personal individual basis, and not of a company and/or business. The disclosure of personal individual financial information would have a chilling effect on future potential acquisitions of troubled water and wastewater utilities in the State of Florida by competent, experienced persons with the technical and financial wherewithal to provide continued quality of service the customers expect and are deserving thereof.

Section 367.156, Florida Statutes, authorizes the Commission to keep confidential and exempt from Section 119.07(1), Florida Statutes, "proprietary confidential business information. Wherefore, Pine Harbour respectfully requests that the required personal financial statements of its individual owners be granted confidential classification and treated accordingly.

Pine Harbour request that the information be classified as "proprietary confidential business information" within the meaning of Section 367.156(3), F.S. that, the information remain confidential for a period of at least 18 months as provided in Section 367.156(4), F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

The personal financial information is enclosed in a sealed red envelope.

Respectfully Submitted,



Troy Rendell  
Manager of Regulated Utilities  
*//For Pine Harbour Waterworks, Inc.*

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