

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for staff-assisted rate case in  
Lee County by Useppa Island Utilities Co.,  
Inc.

DOCKET NO. 20110260-WS  
ORDER NO. PSC-2017-0322-CFO-WS  
ISSUED: August 10, 2017

ORDER GRANTING USEPPA ISLAND UTILITIES CO., INC.'S  
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
(DOCUMENT NO. 00410-12, X-REF. DOCUMENT NO. 08838-11)

On September 15, 2015, pursuant to Section 367.156, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), Useppa Island Utilities Co., Inc. (Useppa) filed its First Request for Extension of Confidential Classification (Request) of documents provided pursuant to Audit No. 11-266-4-1 (Audit Workpapers) (Document No. 00410-12, x-ref Document No. 08838-11). This Request was filed in Docket No. 110260-WS.

Request for Confidential Classification

Useppa's original request for confidential treatment of information provided pursuant to Audit No. 11-266-4-1 was granted by Order No. PSC-14-0113-CFO-WS, issued February 26, 2014. In its instant Request, Useppa asserts that the confidential classification of the material should be extended as the information is sensitive and relates 1) to Useppa's parent company's financial position, debt structure, operating results and 2) the compensation of Useppa's employees. Useppa asserts that disclosure of the information would impair its competitive interests or the competitive interests of the parent company. Thus, Useppa asserts that the information is proprietary business information pursuant to Sections 367.156(3), F.S.

Ruling

Upon review, it appears the above-referenced information satisfies the criteria set forth in Section 367.156(3), F.S., for continued classification as proprietary confidential business information. The information constitutes "information concerning . . . 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" and "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." Thus, the information identified in Document No. 00410-12 (x-ref. Document No. 08838-11) shall be granted a continuation of 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 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 Useppa 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:

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that Useppa Island Utilities Co., Inc.'s First Request for Extension of Confidential Classification of Document No. 00410-12 (x-ref. Document No. 08838-11) is granted. It is further

ORDERED that the information in Document No. 00410-12 (x-ref. Document No. 08838-11) for which confidential classification has been granted shall remain protected from disclosure for a period of 18 months from the date of issuance of this Order. It is further

ORDERED that this Order shall be the only notification by this Commission to the parties of the date of declassification of the materials discussed herein.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 10th day of August, 2017.



---

RONALD A. BRISÉ  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

CWM

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.