

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for increase in water and wastewater rates in Brevard, Citrus, Duval, Highlands, Marion, and Volusia Counties by CSWR-Florida Utility Operating Company.

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DOCKET NO. 20250052-WS

DATED: March 13, 2026

**CSWR-FLORIDA UTILITY OPERATING COMPANY'S MOTION FOR PROTECTIVE ORDER AND REQUEST FOR CONFIDENTIAL CLASSIFICATION OF EMPLOYEE COMPENSATION DATA**

CSWR-Florida Utility Operating Company ("CSWR-Florida"), pursuant to Rules 25-22.006(4) & (6), Florida Administrative Code, files this Motion for Protective Order and Request for Confidential Classification with regard to certain employee compensation data requested by staff in discovery. In support, CSWR-Florida states:

1. On February 18, 2026, staff served its sixth interrogatories (118-127) to CSWR-Florida.
2. Staff interrogatory 120.b. requests the amounts paid in salaries and benefits to CSWR employees Arthur Faiello and Jessica Thomas ("Employee Compensation Data"). On March 13, 2026, CSWR-Florida answered the interrogatory that it would provide the requested Employee Compensation Data subject to a request for confidential classification.
3. The Employee Compensation Data is proprietary confidential business information confidential and exempt from public disclosure.
4. Section 367.156(1), Florida Statutes, provides that "any records received by the commission which are shown and found by the commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1)."
5. Section 367.156(3), Florida Statutes, defines proprietary confidential business information as:

(3) Proprietary confidential business information means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or a private agreement that provides that the information will not be released to the public. Proprietary business information includes, but is not limited to:

(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 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 businesses of the provider of the information.

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

6. The Employee Compensation Data is controlled by CSWR, LLC, CSWR-Florida and other CSWR affiliates. It is intended to be and is treated as private.

7. The Employee Compensation Data meets the definition of proprietary confidential business information in at least two ways. At minimum, it is “[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the utility or its affiliates to contract for goods or services on favorable terms” under Section 367.156(3)(d) and is “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive businesses of the provider of the information” under Section 367.156(3)(e).

8. Disclosure of the Employee Compensation Data would harm the business and competitive interests of CSWR, LLC and CSWR-Florida. The Employee Compensation Data includes each employee's total salary, total benefits, and total amount allocated to CSWR-Florida.

If publicly disclosed, this information would impair CSWR, LLC and CSWR-Florida's ability to contract for employees on favorable terms, and impair their competitive interests. Among the harms, other utilities could try to poach CSWR employees based on this data, disrupting operations and increasing costs and ultimately rates.

9. Employee compensation data has been previously found by the Commission to constitute proprietary confidential business information. *See, e.g., In re: Application for increase in water and wastewater rates in Seminole County by Sanlando Utilities Corporation*, Docket No. 20110257-WS, Order No. PSC-12-0096-CFO-WS (Fla. P.S.C. March 5, 2012)(concluding that “[t]he information constitutes either contractual data or information relating to competitive interests. . . .”); *In re: Application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties, by Sunshine Water Services Company*, Docket No. 20240068-WS, Order No. PSC-2025-0198-CFO-WS (Fla. P.S.C. June 10, 2025); *see also Fla. Power & Light Co. v. Fla. Pub. Serv. Comm’n*, 31 So. 3d 860 (Fla. 1st DCA 2010)(holding that information relating to the compensation of utility employees warranted confidential classification as disclosure would have impaired the utility's competitive interest).

10. Pursuant to Rule 25-22.006(4)(d), Florida Administrative Code, CSWR-Florida affirms that the Employee Compensation Data is intended to be and is treated by CSWR-Florida as private and confidential and has not been publicly disclosed.

11. In compliance with Rule 25-22.006(4), F.A.C., attached as Exhibit A is a justification matrix that correlates the Employee Compensation Data to the specific statutory justification proffered in support of confidential classification.

12. In compliance with Rule 25-22.006(4)(a), F.A.C., attached as Exhibit B is a redacted copy of the responsive Employee Compensation Data. Subsequent to electronic filing, CSWR-Florida will hand deliver to the Commission Clerk an unredacted highlighted copy of the Employee Compensation Data.

WHEREFORE, CSWR-Florida respectfully requests that the Employee Compensation Data provided in response to staff's discovery request be classified as proprietary confidential business information confidential and exempt from disclosure under the Public Records Act in Chapter 119, Florida Statutes, and Article I, Section 24(a) of the Florida Constitution and that a protective order be issued against public disclosure. CSWR-Florida requests that the material (Exhibit B) be classified as confidential for the maximum period of time allowed and that the unredacted copy be returned to CSWR-Florida upon closure of this docket.

Respectfully submitted this 13th day of March, 2026.

/s/ Thomas A. Crabb

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via e-mail on this 13th day of March, 2026, to the following:

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*/s/ Thomas A. Crabb*

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# **EXHIBIT A**

**Exhibit A - Justification Matrix**

<p align="center"><b>Location</b> (Document name and location of information)</p>	<p align="center"><b>Justification</b></p>
<p><b>CSWR-FL_003937 – ROG 120b Salary Allocation</b></p> <p><b>Employee Compensation Data –</b> Salary and Benefit information of CSWR employees</p>	<p>§ 367.156(3)(d), Florida Statutes (information concerning bids or other contractual data, the disclosure of which would impair the efforts of the utility or its affiliates to contract for goods or services on favorable terms)</p> <p>§ 367.156(3)(e), Florida Statutes (information relating to competitive interests, the disclosure of which would impair the competitive businesses of the provider of the information)</p> <p>As set forth more fully in the Request for Confidential Classification, disclosure would impair CSWR, LLC and CSWR-Florida’s ability to contract for employees on favorable terms, and impair their competitive interests. Among the harms, other utilities could try to poach CSWR employees based on this data, disrupting operations and increasing costs and ultimately rates. CSWR-Florida keeps this information strictly confidential to also prevent competitors and prospective counterparties from information that could be used in future negotiations to the disadvantage of CSWR-Florida and its affiliates.</p>

# **EXHIBIT B**

CSWR-Florida Utility Operating Company  
ROG 120 Salary Allocation  
**REDACTED**

Arthur Faiello	2/1/2024	3/1/2024	4/1/2024	5/1/2024	6/1/2024	7/1/2024	8/1/2024	9/1/2024	10/1/2024	11/1/2024	12/1/2024	1/1/2025
Total Salary	[REDACTED]											
Total Benefits	[REDACTED]											
Total	[REDACTED]											
Allocation to CSWR-FL	[REDACTED]											

Jessica Thomas	2/1/2024	3/1/2024	4/1/2024	5/1/2024	6/1/2024	7/1/2024	8/1/2024	9/1/2024	10/1/2024	11/1/2024	12/1/2024	1/1/2025
Total Salary	[REDACTED]											
Total Benefits	[REDACTED]											
Total	[REDACTED]											
Allocation to CSWR-FL	[REDACTED]											