

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-

DATE: June 8, 2026
TO: Division of Accounting and Finance, Office of Primary Responsibility
FROM: OFFICE OF COMMISSION CLERK
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20260083-SU DOCUMENT NO: 03161-2026

DESCRIPTION: CSWR-FL (Wilhelm) - (CONFIDENTIAL) Business information; Kimley-Horn Wastewater Treatment Plant facility report; ScottMadden, Inc. valuation report; Mosaic Property Valuations appraisal report; NewGen Strategies & Solutions appraisal report; and Kimley-Horn engineering assessment and 3-year plan.

SOURCE: CSWR-Florida Utility Operating Company, LLC

The above confidential material was filed along with a request for confidential classification. 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.
☐ Portions of the material appear to be confidential in nature and are identified in the memorandum supporting this recommendation.
☐ The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by /s/Brian Lenberg on 8/7/2026, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel



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

DATE: August 7, 2026

TO: Timothy Sparks, Senior Attorney, Office of the General Counsel JS

FROM: Brian Lenberg, Public Utility Analyst, Division of Accounting & Finance BL

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20260083-SU DOCUMENT NO: 03161-2026

DESCRIPTION: CSWR-FL (Wilhelm) - (CONFIDENTIAL) Business information; Kimley-Horn Wastewater Treatment Plant facility report; ScottMadden, Inc. valuation report; Mosaic Property Valuations appraisal report; NewGen Strategies & Solutions appraisal report; and Kimley-Horn engineering assessment and 3-year plan.

SOURCE: CSWR-Florida Utility Operating Company, LLC

Pursuant to Section 367.156, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, CSWR-Florida Utility Operating Company, LLC (CSWR or Utility) requests confidential classification of certain information filed in the above-referenced docket, dated May 27, 2026.

The Utility is claiming confidentiality of the subject information under Section 367.156(3)(a), F.S., Section 367.156(3)(d), F.S., and Section 367.156(3)(e), F.S. Per the Statute, propriety confidential business information includes, but is not limited to: Subsection (a) “[t]rade secrets,” Subsection (d) “[i]nformation 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,” and Subsection (e) “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.”

Upon review, Staff believes that the three appraisals, engineering assessment, and three-year plan do not satisfy the criteria for confidential classification under Section 367.156, F.S. The documents were prepared in connection with the Utility’s request to establish rate base through the alternative valuation procedure authorized by Section 367.0811, F.S.

According to the Utility’s application, CSWR entered into a Purchase and Sale Agreement with Forest Utilities, Inc., on October 15, 2023. Because the purchase price was established before the documents were prepared, the documents were neither available during negotiations nor relied upon in determining the purchase price. Rather, they were prepared after execution of the agreement to satisfy the statutory requirements of the alternative valuation procedure. Further, these reports were created solely for purposes of this proceeding and were not available to CSWR when the Purchase and Sale Agreement was established. The appraisals were also prepared by Commission-selected appraisers as part of the Commission’s regulatory review.

Staff also notes that Sunshine Water Services Company submitted the same appraisals and supporting documents in another alternative valuation docket without requesting confidential classification.¹ While not determinative, this further supports Staff's conclusion that the documents are not confidential in nature.

Further, Staff believes that when the Legislature adopted Section 367.0811, F.S., it anticipated the production of appraisals and supporting documents, and would have explicitly classified them as confidential had it intended them to be exempt from disclosure.

Accordingly, Staff does not believe that the documents constitute trade secrets under Section 367.156(3)(a), F.S., bids or contractual data under Section 367.156(3)(d), F.S. Staff also does not find that disclosure would impair the Utility's competitive business interests under Section 367.156(3)(e), F.S. Therefore, Staff recommends that Document No. 03161-2026 be denied confidential classification.

¹ Document No. 01297-2026, filed February 27, 2026.