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APPLICATION OF DOUBLE
DIAMOND UTILITY COMPANY, INC.
FOR WATER AND SEWER
RATE/TARIFF CHANGE

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BEFORE THE STATE OFFICE
OF PUBLIC UTILITY COMMISSION
ADMINISTRATIVE HEARINGS

2017 APR 26 PM 2:25

**DOUBLE DIAMOND UTILITY COMPANY, INC.'S
DESIGNATION OF PROTECTED MATERIALS
IN RESPONSE TO SOAH ORDER NO. 4**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

Applicant, Double Diamond Utility Company, Inc. (“DDU”) files this Designation of Protected Materials pursuant to PUC Rule 22.7(d) and the Protective Order issued in SOAH Order No. 3, and in response to SOAH Order No. 4 in this case regarding documents to be produced, and in support thereof, respectfully shows as follows:

Pursuant to Order No. 3, DDU filed, as confidential, certain portions of the application, including audited financial statements. This information includes commercial and financial information of DDU’s parent company as well as other Double Diamond entities. This data reveals detailed information regarding these entities' expenses, income, and investments and would not ordinarily be made public for privately-held companies like DDU and its parent company. For these reasons, DDU hereby designates as Protected Materials under the Protective Order documents bates labeled DDU-000179, DDU-001956, DDU003571-003592 (audited financial statements of parent company, excluding cover letters), and removes such designation from other documents previously filed with the Commission as confidential, specifically DDU000001 – DDU000178, DDU000180 – DDU001955, and DDU001957 – DDU003570. The documents for which the confidential designation has been removed are included on the CD attached to correspondence amending the application filed on this same day with the confidential language removed, the original bates number, and a designation of “ppc” added in the bottom left corner to indicate that the documents were previously produced as confidential materials. Additionally, DDU has redacted the names of the banking institutions from pages DDU000002, DDU000004, DDU000006, DDU001736, DDU001738, an DDU001740 but produced those redacted pages of the application as non-confidential in an effort to provide as much information as possible without harming DDU’s or its parent company’s position in the market compared to

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their competitors. The full unredacted pages have been previously produced as confidential materials to all parties.


In accordance with Paragraph 4 of the Protective Order, the undersigned counsel provides this written statement regarding the documents that remain designated as Protected Materials:

(a) the Protected Materials are exempt from the Public Information Act on the grounds that the materials constitute confidential commercial or financial information of DDU, its parent company and related entities.

(b) Disclosure of this information would cause substantial competitive harm to DDU, its parent company and the related entities as competitors would have detailed information regarding budgets; income, expenses, and investments for all these entities.

(c) Undersigned counsel has reviewed the information sufficiently to state in good faith that it is exempt from public disclosure under the Public Information Act and merits the Protected Materials designation.

Respectfully submitted,


By: 
John J. Carlton

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ATTORNEY FOR DOUBLE DIAMOND
UTILITY COMPANY, INC.

CERTIFICATE OF SERVICE

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 26th day of April, 2017.


John J. Carlton