February 18, 2019

The Honorable Audrey Gibson
The Florida Senate
404 South Monroe Street, Room 200 SOB
Tallahassee, FL 32399-1100

Re: SB 600, Exemption/Public Utility Customer Information and Data

Dear Senator Gibson:

We are writing in response to SB 600, creating a public record exemption for smart meter data and billing information of public utility customers in increments less than one billing cycle. The Foundation is not opposed to the purpose of the exemption, Senator, but we do have some concerns regarding the constitutionally-required statement of public necessity in Section 2 of the legislation.

Specifically, there is no right to privacy to information contained in a public record. See Art. I, s. 23, Fla. Con. We suggest, therefore, that SB 600 be amended to base the need for the exemption on data protection rather than privacy.

We appreciate your attention to our concerns, Senator Gibson. If you or staff any questions, please don’t hesitate to contact us.

Sincerely,

Barbara A. Petersen, President

Cc: The Honorable Bill Galvano, President, The Florida Senate