

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: FUEL AND PURCHASED POWER COST) DOCKET NO. 880001-EI
 RECOVERY CLAUSE AND GENERATING) ORDER NO. 20310
 PERFORMANCE INCENTIVE FACTOR) ISSUED: 11-16-88
)
)

ORDER REGARDING CONFIDENTIALITY

This is a tentative ruling regarding the confidential nature of information filed with the Florida Public Service Commission in this Docket. In the absence of a protest to this Order, this ruling will serve as a final determination with respect to the confidentiality of the matters in issue.

Pursuant to Rule 25-22.006(4), Florida Administrative Code, several utilities have requested specified confidential treatment for certain filings in the above-styled Docket before the Florida Public Service Commission. The particular filings for which specified confidential treatment is requested are as follows:

<u>DATE OF REQUEST</u>	<u>COMPANY</u>	<u>DOCKET NO.</u>	<u>DOCUMENT NUMBER(S)/REQUEST</u>
10/12/88	FPL	880001-EI	10841-88 - (Form 423-1(a) Monthly Fuel Report for August, 1988).
10/14/88	GULF	880001-EI	10932-88 - (Forms 423-1(a) 2(a), and 2(b) - Monthly Fuel Report for August, 1988).
10/17/88	TECO	880001-EI	10933-88 - (Forms 423-1(a) 1(b), 2(a), 2(b), and 2(c) - Monthly Fuel Report for August, 1988).
10/17/88	FPC	880001-EI	10980-88 - (Forms 423-1(a) 2(a), 2(b), and 2(c) - Monthly Fuel Report for August, 1988).

The above documents contain information related to the utilities' fuel contracts. Disclosure of this information, the utilities contend, would likely impair their ability to negotiate future fuel and transportation contracts because potential bidders would be informed of current prices paid for these services.

Section 366.093(1), Florida Statutes, provides in pertinent part:

"Upon request of the public utility, any records received by the Commission which are shown to be proprietary confidential business information shall be kept confidential and shall be exempt from §119.07(1)."

Section 366.093(3), Florida Statutes, defines proprietary confidential business information as, among other things, information concerning bids or other contractual data, the disclosure of which would impair the efforts of the utility to contract for services on favorable terms.

DOCUMENT NUMBER-DATE

12054 NOV 16 1988

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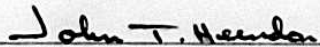
Based upon an examination of the documents identified in the above-referenced Request for Specified Confidential Treatment, I find that said documents do contain confidential information which, if released, could affect the ability of the utilities to contract for fuel on favorable terms.

In consideration of the above, it is

ORDERED that the Request for Specified Confidential Treatment specified above is approved for the filings identified. It is further

ORDERED that if, pursuant to Rule 25-22.006(2)(f), Florida Administrative Code, a protest is filed within fourteen (14) days of the date of this Order, it will be resolved by the appropriate Commission panel pursuant to Rule 25-22.006(3)(d), Florida Administrative Code.

By ORDER of Commissioner John T. Herndon, as Prehearing Officer, this 16th day of NOVEMBER, 1988.



JOHN T. HERNDON, Commissioner
and Prehearing Officer

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