

MEMORANDUM

May 24, 1996

TO: ✓ Division of Records and Reporting (M SANDERS) *W F*
FROM: Division of Auditing and Financial Analysis (VANDIVER, FREEMAN) *[Signature]*
SUBJECT: Undocketed; Gulf Utility Company; Overearnings Investigation for the year ended June 30, 1995; Audit Control Number 95-241-4-1; Document 00066-96.

On January 3, 1996, staff filed document 00066-96 consisting of staff working papers (volume 4) prepared during the earnings audit of Gulf Utility Company's earnings for the year ended June 30, 1995. An exit conference was held on December 14, 1995. The utility requested at the December 14, 1995 audit exit conference that certain staff working papers be temporarily exempted from public access pursuant to Rule 22.006 (3)(a), Florida Administrative Code (FAC).

On February 7, 1996, staff mailed copies of the work papers which were temporarily exempted from public access to the Company. According to the return receipt, the utility received the materials on February 12, 1996.

More than twenty-one days have passed since the exit conference. Also more than 21 days have passed since the utility's receipt of copies of the working papers. During this time, the utility has not filed a request for confidential classification. Accordingly pursuant to Rule 25-22.006(3)(a), FAC, we recommend that the failure to file a request constitutes a waiver of confidentiality and that the audit working papers, Document No. 00066-96, be declassified and returned to the Division of Auditing and Financial Analysis.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____ cc: Division of Legal Services (Jaber)
- CTR _____ Division of Auditing and Financial Analysis (Pelt, Wilson, Welch)
- EAG _____ Disision of Water and Wastewater (Merchant)
- LEG _____
- LIN _____
- OPD _____
- RCH _____
- SEC 1
- WAS _____
- OTR *orig to Matilda*

[Return 00065-96 + 00066-96 to AFA]
DOCUMENT NUMBER - DATE

05898 MAY 29 1996

FPSC-RECORDS/REPORTING