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CLERK

April 15, 2002

Mr. Robert Elias  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

020000-PU

RE: Review of Confidentiality Information Procedures: Undocketed

Dear Mr. Elias:

Enclosed please find the Comments of the Citizens of the State of Florida as requested at the workshop regarding the above referenced matter held on March 15, 2002. Please let me know if you require any further information.

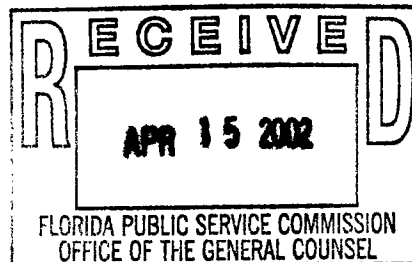
Sincerely,

Robert Vandiver

cc w/attachment:

- Russell Badders
- James D. Beasley
- Kenneth A. Hoffman
- Vicki Gordon Kaufman

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## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Review of Confidentiality Information  
Procedures: Undocketed

Filed: April 15, 2002

### COMMENTS OF THE CITIZENS OF THE STATE OF FLORIDA

The Citizens of the State of Florida (Citizens) offer the following comments on the undocketed workshop concerning Review of Confidentiality Procedures held March 15, 2002. At the outset, Citizens favor full disclosure of all relevant information, with only limited exceptions for narrowly defined classes of information. The Florida Constitution and Sunshine Law demand no less.

Citizens recommend the following modifications to the Staff's straw-man proposal: (1) Insert in the first sentence: "...confidential business information as defined in subsection (3), below shall be kept confidential..." (2) Insert in the second sentence: "...confidential business information to demonstrate within ten (10) days that the information meets the requirements..." (3) Insert as a new additional sentence: "...of the State Constitution. The request for confidential status of records by any utility or other person shall include a certification, subject to penalty of perjury, that upon knowledge and belief the records are proprietary confidential business information as required in subsection (3), below. Upon request of any person...."

Citizens believe that the initial assertion of confidentiality should directly reference the requirements of subsection (3). Citizens assert that utilities should be ready within a limited time to demonstrate that the material is in fact confidential when put to the proof.

Citizens also believe that these changes should be incorporated into Chapter 364, Florida Statutes. Upon request of any person, or on the Commission's own motion, the Commission should require telecommunication utilities, as well as electric and gas utilities, to demonstrate that material for which confidential status has been asserted meets the requirements of subsection (3).