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State of Florida



Public Service Commission

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COMMISSION CLERK

DATE: December 8, 2003
TO: Jennifer Brubaker, Office of the General Counsel
FROM: John Slemkewicz, Division of Economic Regulation JS
RE: Docket No. 030438-EI, FPUC Rate Case, Request for Confidential Treatment

Florida Public Utilities Company (FPUC) has requested that certain information contained in its response to the Citizen's Third Request for Production of Documents (Document No. 12336-03) be classified as confidential. In its request, FPUC claims that the information is confidential pursuant to Section 366.093(3)(f), Florida Statutes, if it is "Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities."

FPUC has requested that any social security numbers, home address and telephone number, and names associated with medical procedures (mainly drug tests) be considered as confidential information. I have reviewed this information and agree that this personnel information should be classified as confidential.

cc: Office of the General Counsel
Division of the Commission Clerk & Administrative Services

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FPSC-COMMISSION CLERK

STATE OF FLORIDA

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DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

M-E-M-O-R-A-N-D-U-M

DATE: December 4, 2003

TO: OFFICE OF THE GENERAL COUNSEL
DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT
XX DIVISION OF ECONOMIC REGULATION
DIVISION OF AUDITING AND SAFETY

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 12336-03

DESCRIPTION: FPUC/Horton - (Confidential) Response to Citizens' 3rd request for POD's.

SOURCE: Florida Public Utilities Company

DOCKET NO(S): 030438-EI

The above material was received with a request for protective order and temporary protective order. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of the Commission Clerk and Administrative Services, Bureau of Records and Hearing Services, and to the Office of General Counsel.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:

- (a) Trade secrets;
- (b) Internal auditing controls and reports of internal auditors;
- (c) Security measures, systems, or procedures;
- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company to contract for services on favorable terms;
- (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- (f) Tax returns or tax-related information;
- (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.

The material appears not to be confidential in nature.

The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by: JOHN SCENKEWICZ

Date: 12/8/03

cc: GCL EXT
 CMP CCA
 ECR AUS
 MMS

PSC/CCA 15 (Rev 11/02)