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> > May 24, 2004

HAND DELIVERY

Ms. Blanca Bayó, Director Commission Clerk and Administrative Services Room 110, Easley Building Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

040494-GU

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Public Utilities Company are an original and fifteen copies of Florida Public Utilities Company's Request for Confidential Classification of Audit Workpapers.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance with this filing.

Sincerely yours,

CMP COM Norman H. Horton, Jr. CTR NHH/amb ECR Enclosures Parties of Record GCL cc: OPC MMS RCA VED & FILED SCR SEC BUREAU OF RECORDS OTH

DOCUMENT NUMBER-DATE

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DOWNTOWN OFFICE, 215 South Monroe Street, Suite 701 • Tallahassee, Fl 32301 • Phone (850) 222-0720 • Fax (850) 224-4359 NORTHEAST OFFICE, 3116 Capital Circle, NE, Suite 5 • Tallahassee, Fl 32308 • Phone (850) 668-5246 • Fax (850) 668-55160 MMISSION CLERK



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In Re: Request by Florida Public Utilities Company for Confidential Treatment of Audit Workpapers

Docket No. Filed: May 24, 2004

FLORIDA PUBLIC UTILITIES COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION OF AUDIT WORKPAPERS

Florida Public Utilities Company ("FPUC" or "the Company"), pursuant to section 366.093, Florida Statutes, and Rule 25-22.006(3)(a)2. and (4), Florida Administrative Code, submits this Request for Confidential Classification of the documents and information described below provided to the Florida Public Service Commission Staff in connection with the Staff Audit of the nonmonitored transportation administration charge of FPUC for the year ending December 31, 2003 and identified as Audit Control No. 04-015-4-1. In support of this Request for Confidential Classification, FPUC states as follows:

1. On May 3, 2004, the Company was notified of the completion of the Staff's audit of the non-monitored transportation charge conducted in audit control number 04-015-4-1. During the course of that audit, Staff was provided copies of documents which are considered to be and treated as proprietary and confidential by FPUC. Specifically, the documents so treated are identified as:

- a) Workpaper 41-2, Recalculation of Revenues, 1 page; and
- b) Workpaper 41-2/1, Transportation Service Customer List (12 pages) and Invoices (13 pages).

Pursuant to Rule 25-22.006, Florida Administrative Code, and Section 366.093, Florida Statutes, FPUC herewith requests that the identified workpapers be found to be proprietary confidential documents, exempt from disclosure for the reasons given



2. Workpaper 41-2, Recalculation of Revenues, lines 1-13, contains information revealing specific customer account information and billings. The disclosure of information about specific customers and usage would provide valuable information to present and potential competitors of the Company and disclosure of the information would cause harm to the customers and Company. Moreover, compilations of information such as contained in Workpaper 41-2 are trade secrets and should not be disclosed. FPUC considers customer information such as revealed in Workpaper 41-2 to be proprietary and confidential and does not disclose such information. Accordingly, the Company requests that the Commission find Workpaper 41-2 to be proprietary and confidential, exempt from Section 119.07(1), Florida Statutes, pursuant to Section 366.093(3)(a) and (e), Florida Statutes.

Workpaper 41-2/1 consists of 25 pages; pages 1-12 are a customer list and pages 13 25 are customer invoices.

- (a) Workpaper 41-2/1, pages 1-12 lines 1-293 is a Transportation Service Customer List. Information on the list consists of names, account numbers, locations and usage data. Such information is treated by FPUC as proprietary and confidential and not publically disclosed. Disclosure of customer lists would provide information useful to competitors and would harm the ratepayers of the Company and the Company and would impair the competitive business of the Company and providers of the service. Such information is considered confidential and exempt from Section 119.07(1), Florida Statutes, pursuant to Section 366.093(3)(e), Florida Statutes.
- (b) Workpaper 41-2/1 pages 13-25 lines 1-23 and sub-parts are copies of individual customer invoices. The information identified on the designated



lines includes customer locations, account numbers, usage, billed amounts, pool manager and charges. Such information, if disclosed, would provide information useful and of value to competitive interests and would impair the competitive business of the Company. Additionally, disclosure of customer specific information would cause harm to the ratepayers and the Company's business operations. FPUC does not disclose this information and treats it as private and confidential exempt from Section 119.07(1), Florida Statutes, pursuant to Section 366.093(3)(e), Florida Statutes.

4. The information in Workpapers 41-2 and 41-2/1 are considered to be and treated as proprietary and confidential by FPUC and for the reasons given, the Company requests that the Commission determine that the identified information is proprietary and confidential, exempt from Section 119.07(1), Florida Statutes, pursuant to Section 366.093(3)(a) and (3), Florida Statutes.

5. Copies of the workpapers with the confidential material redacted are attached. By separate cover, FPUC is providing a copy of the unedited documents.

Dated this 24th day of May, 2004.

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MESSER, CAPARELLO & SELF, P.A. 215 S. Monroe Street, Suite 701 Post Office Box 1876 Tallahassee, FL 32302-1876 (850) 222-0720

NORMAN H. HORTOŇ, JR., ESQ.

Attorneys for Florida Public Utilities Company

CONFIDENTIAL INDEX

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| WP NO. | DESCRIPTION | # OF PAGES |
|--------|--------------------|------------|
| 41-2 | Billing Statements | 1 |
| 41-2/1 | Billing Statements | 25 |

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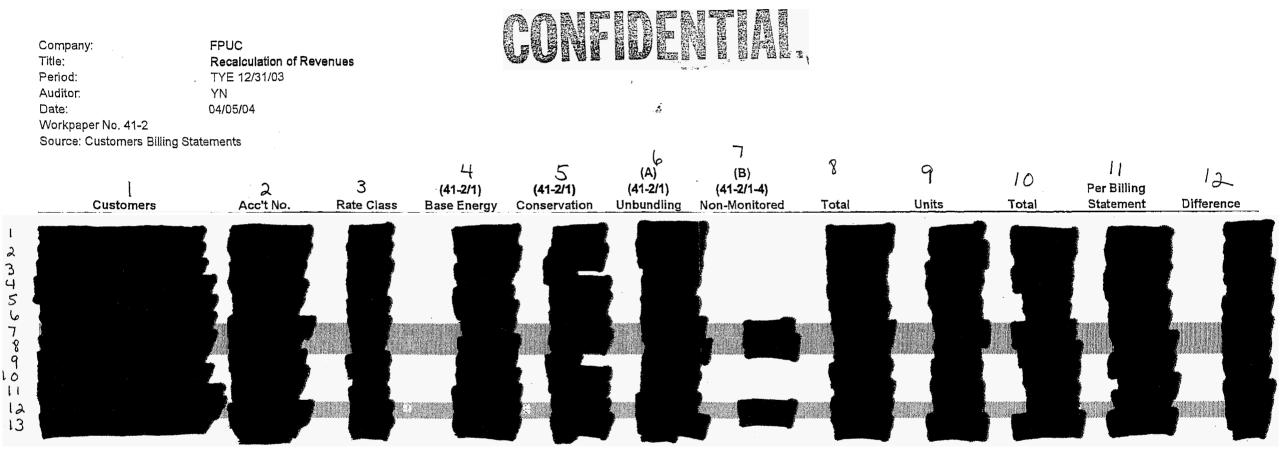
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(A) In the customers' billing statements, the unbundling charge is embedded in the total energy charges.

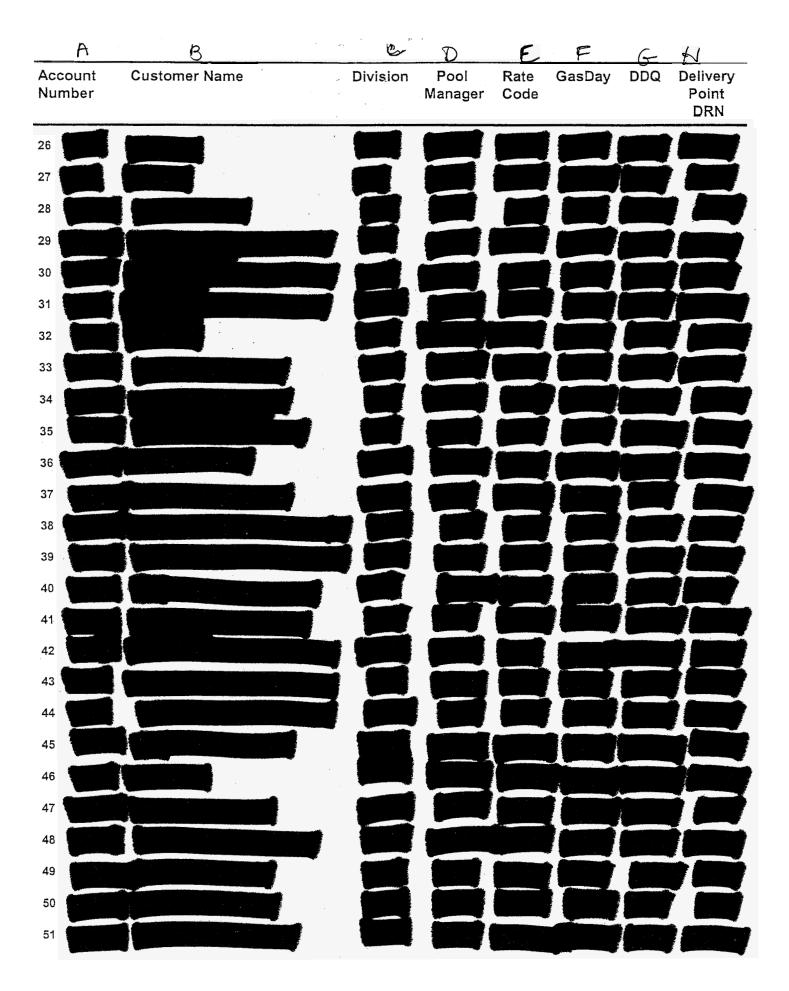
(B) The Commission did not state what the non-monitored transportation administration charge should be for the months of January and February 2003; therefore, the company did not bill the customers for these two months. The sample of the billings occurred in two months Febuary and March 2003. The March bills were highlighted and had the non-monitored transportation adminisstrative charge.

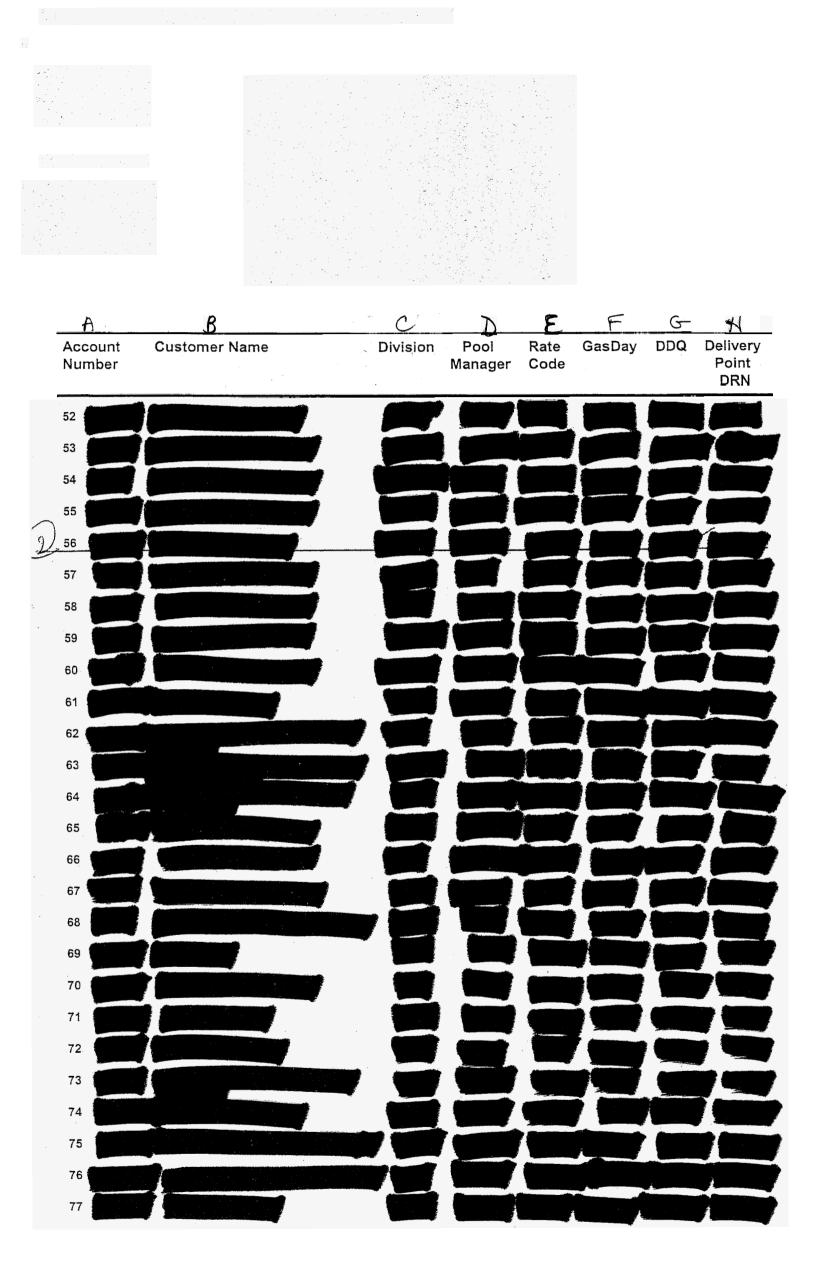
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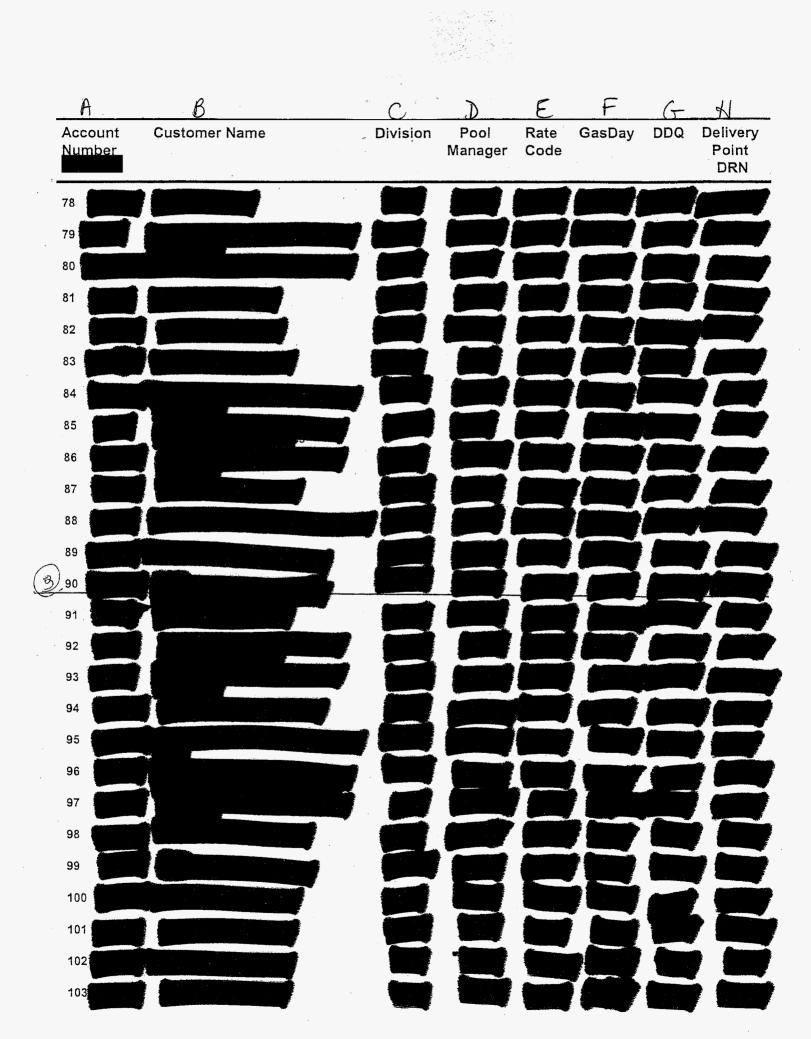


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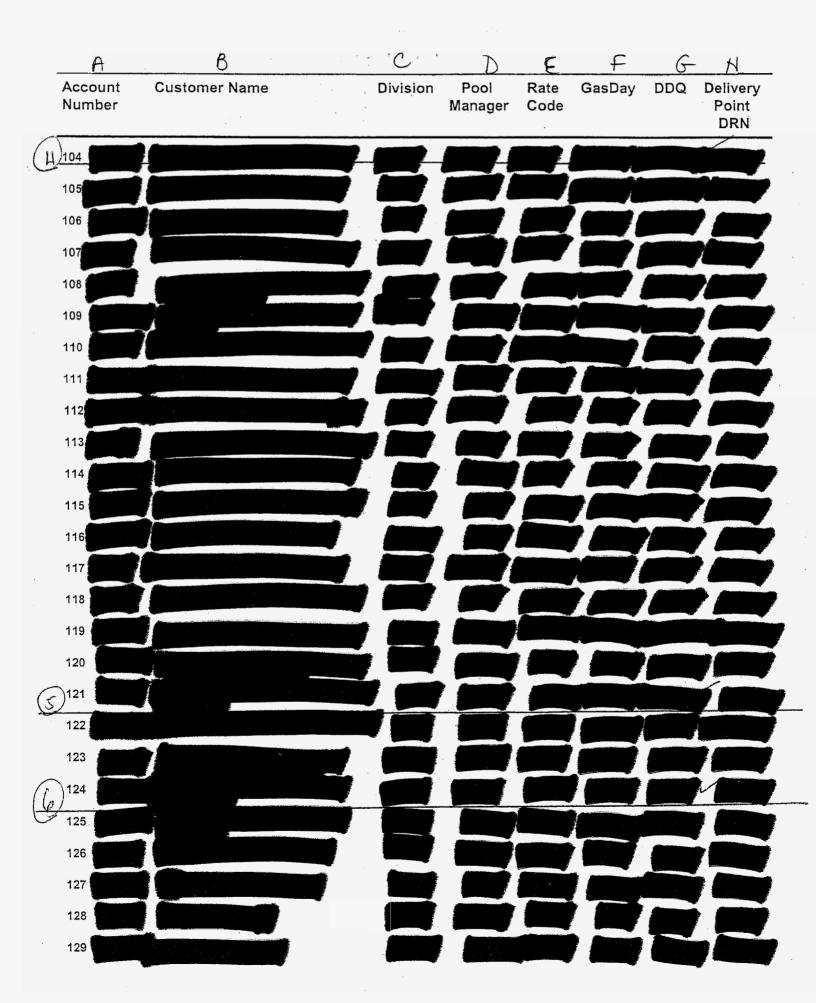


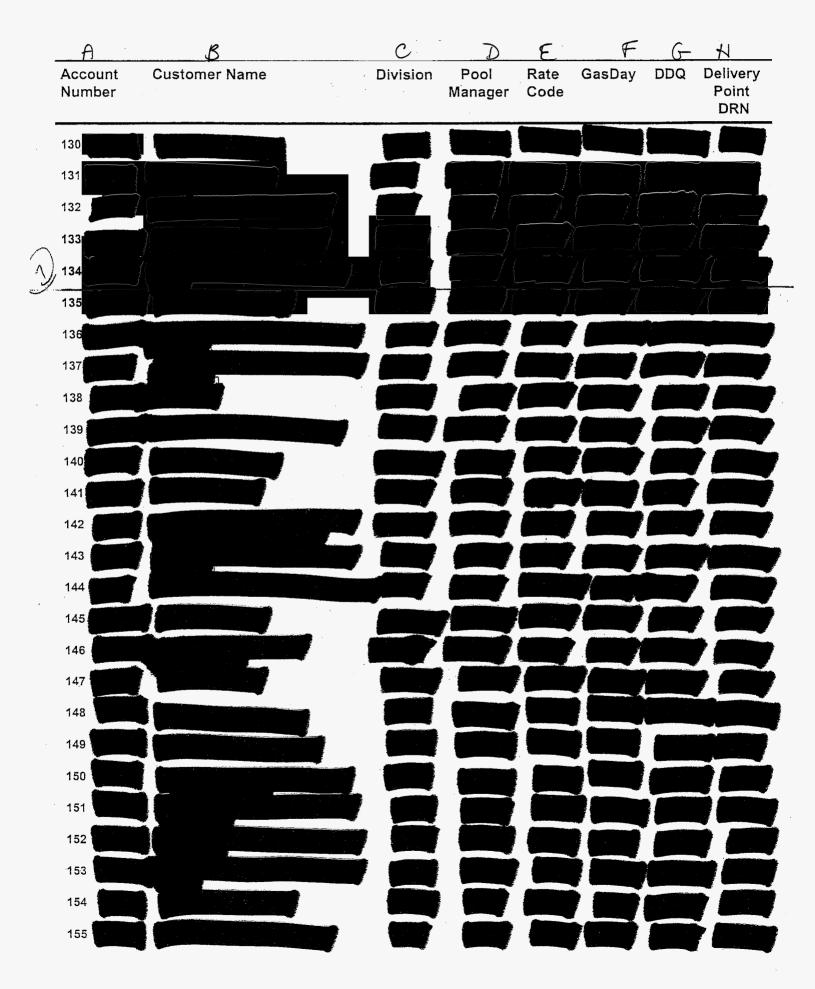


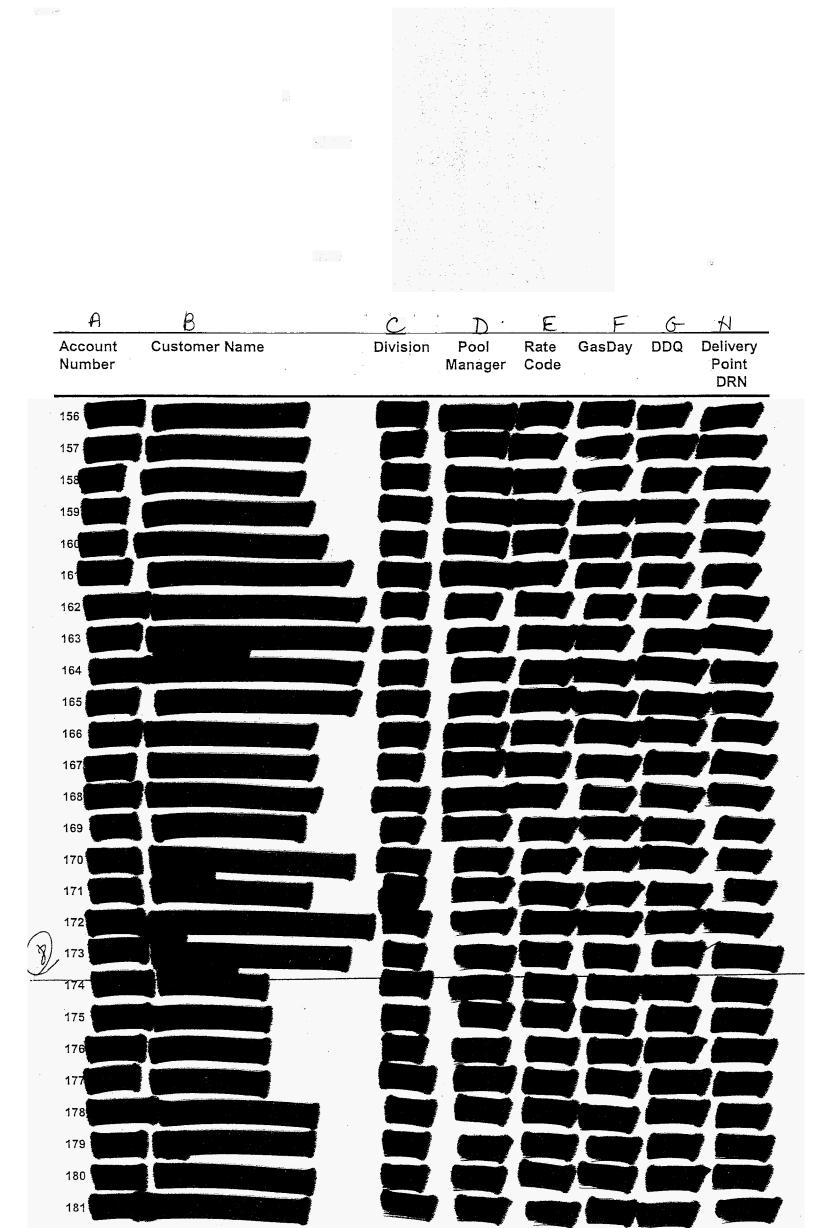


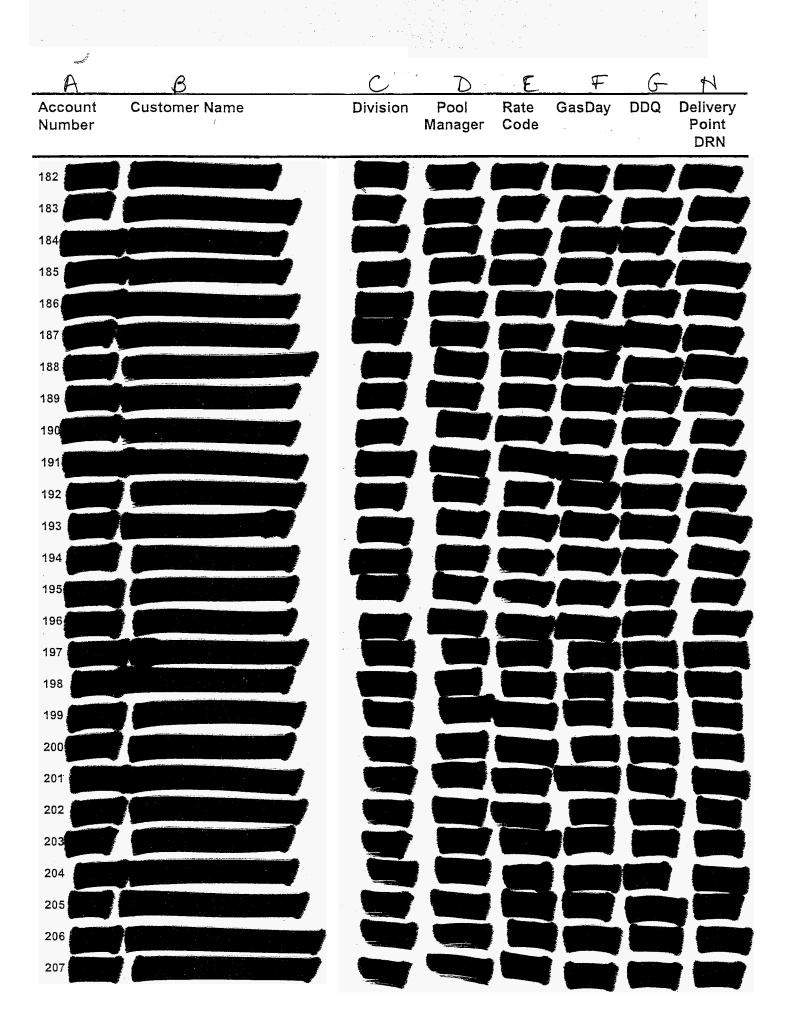












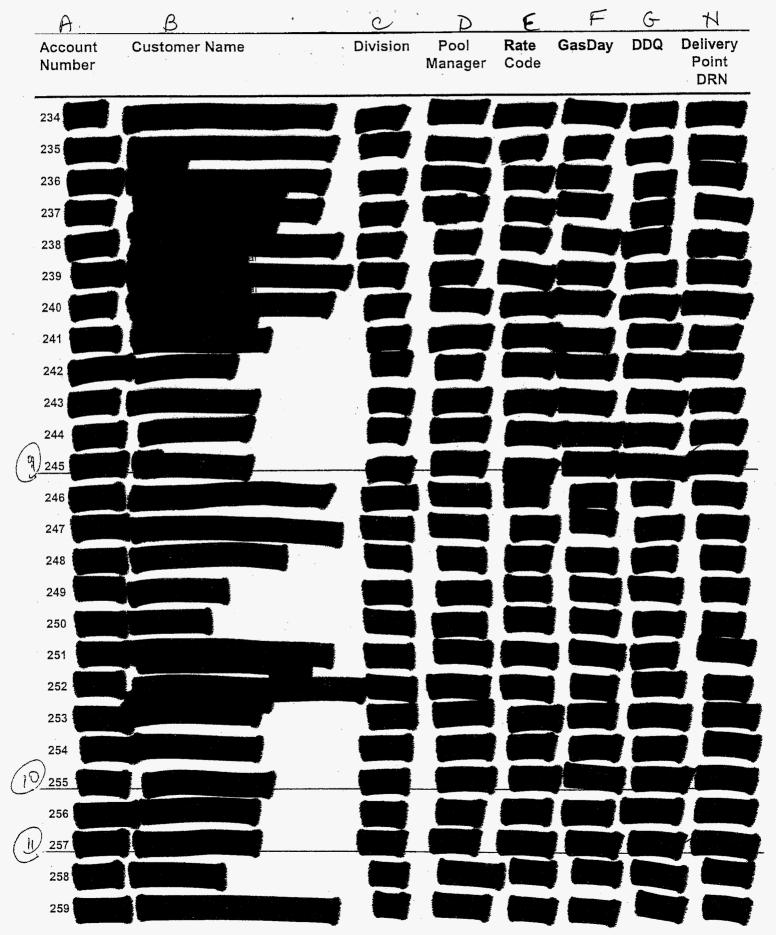
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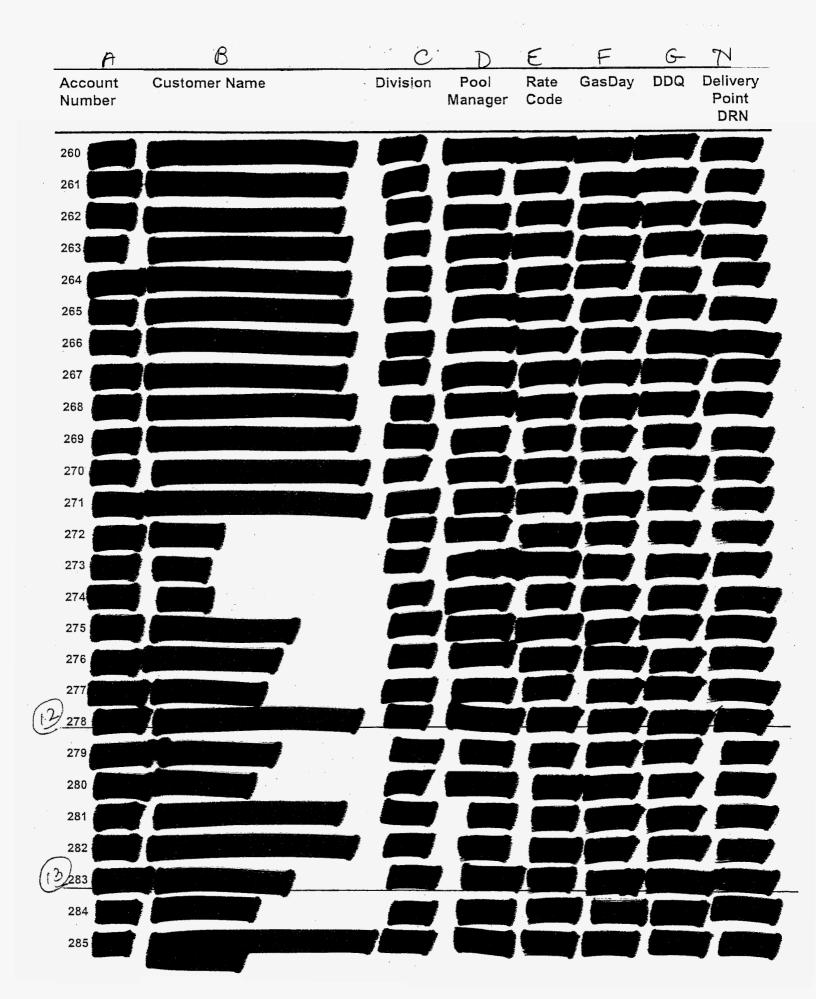


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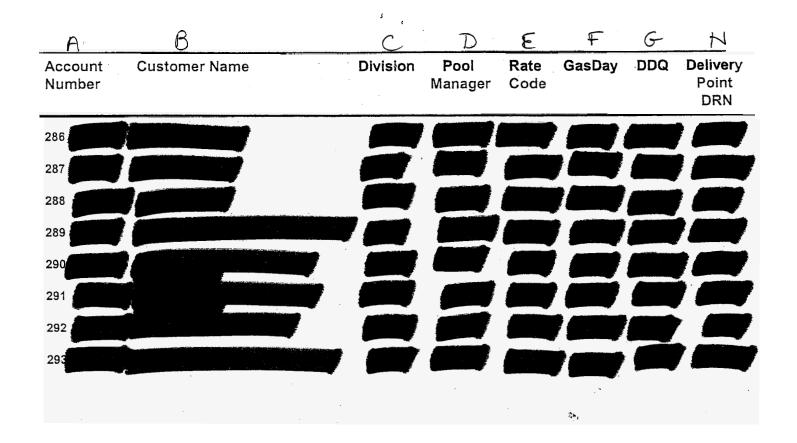




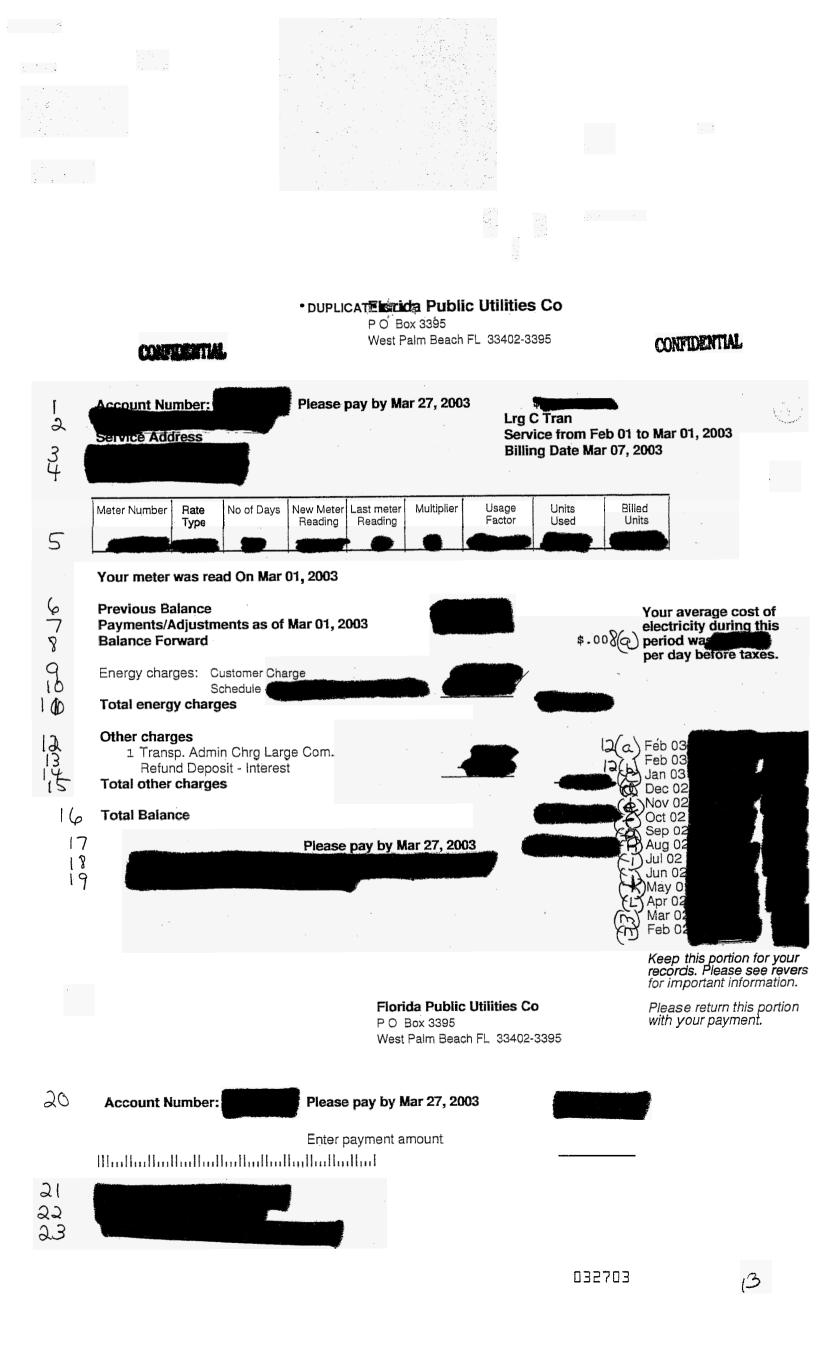


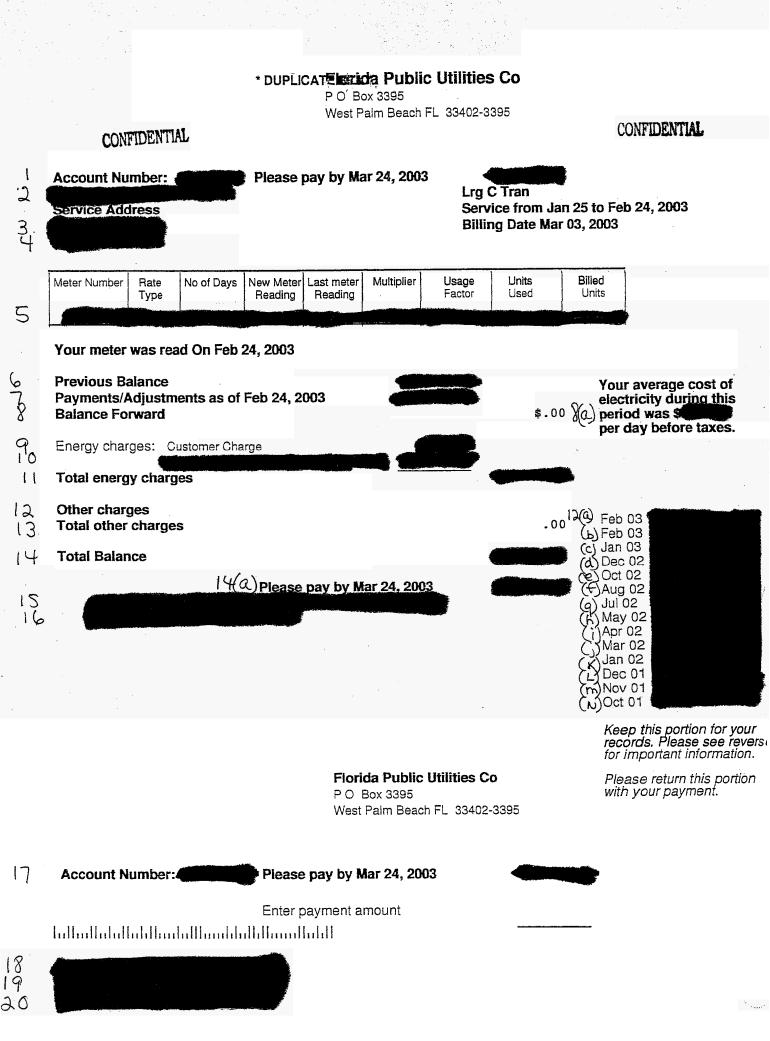


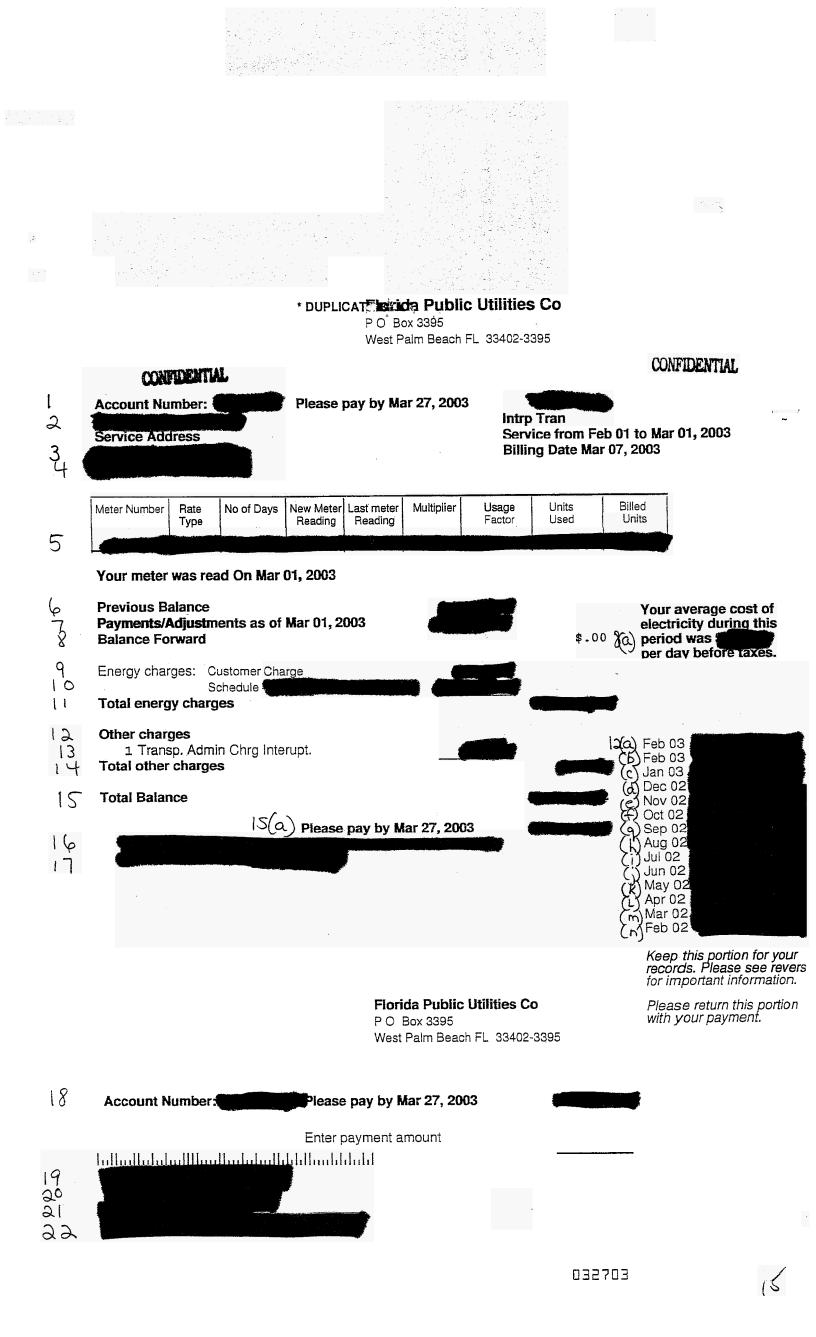


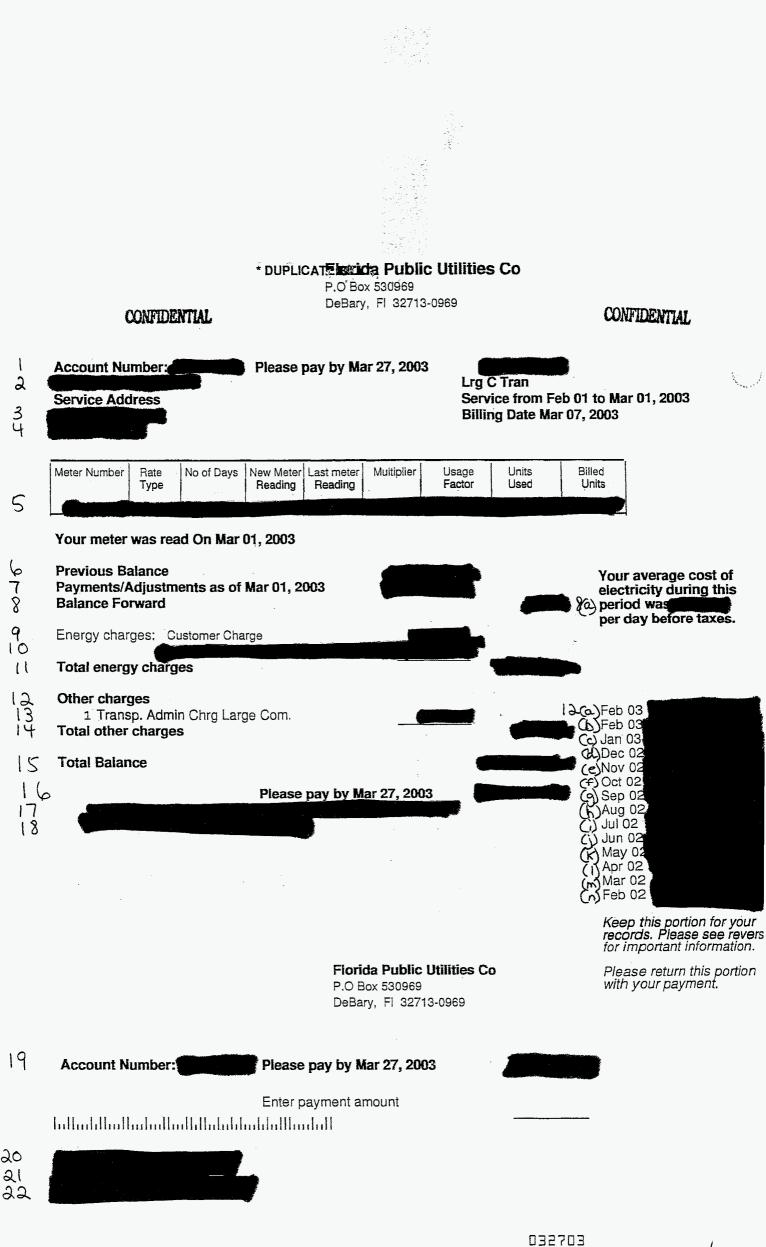


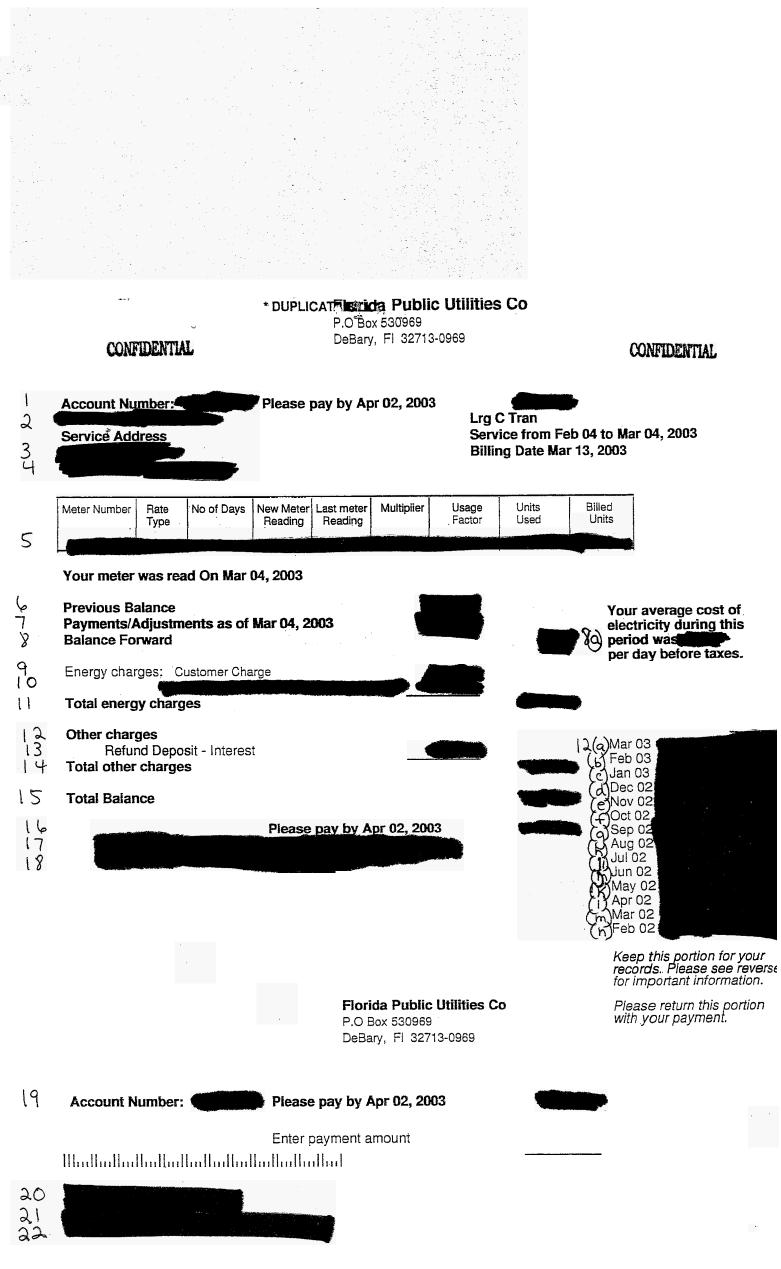
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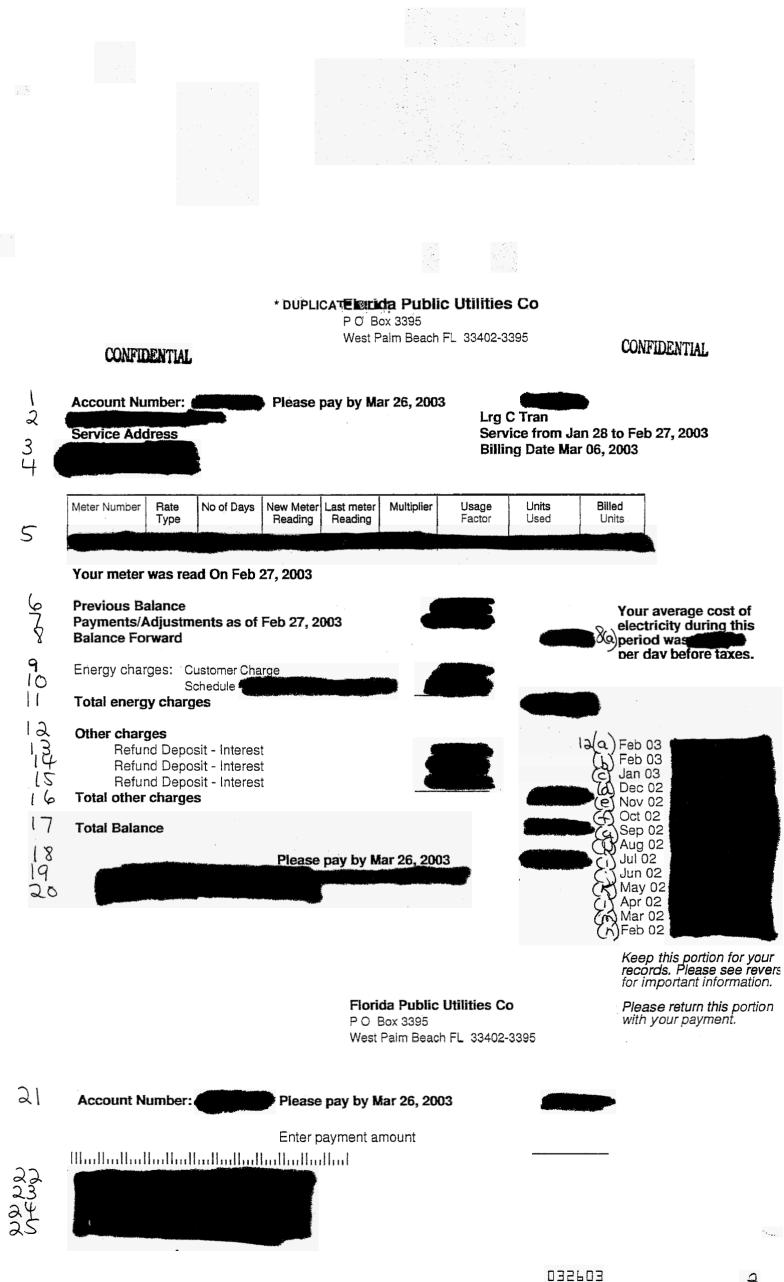


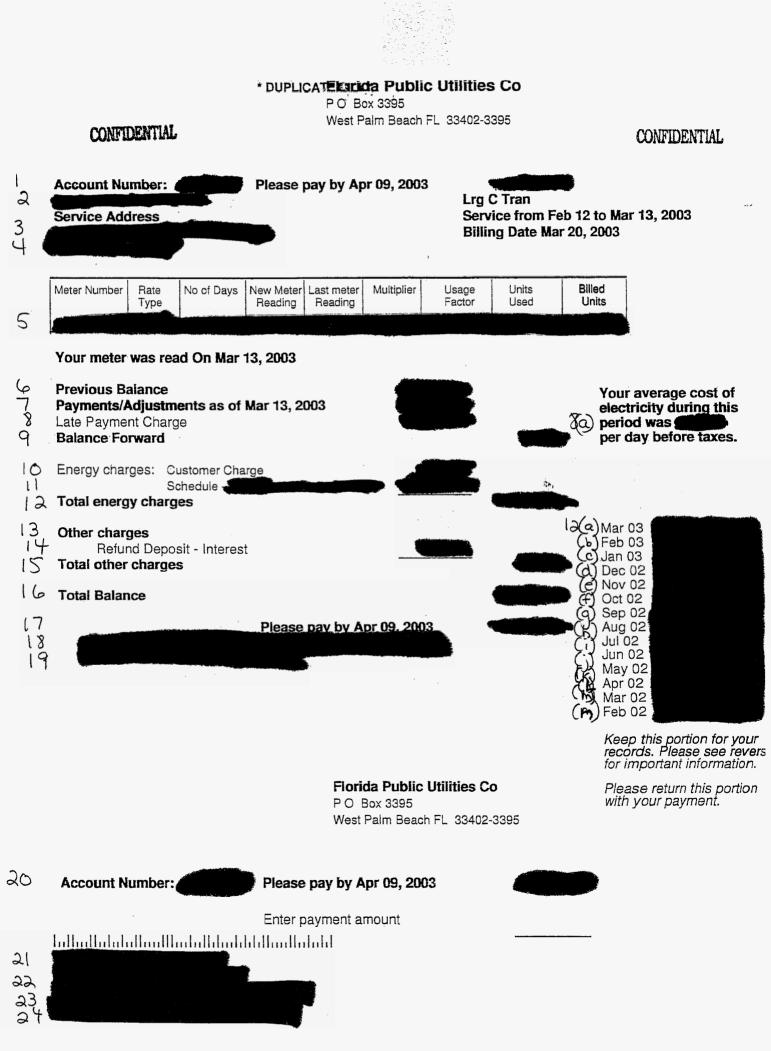


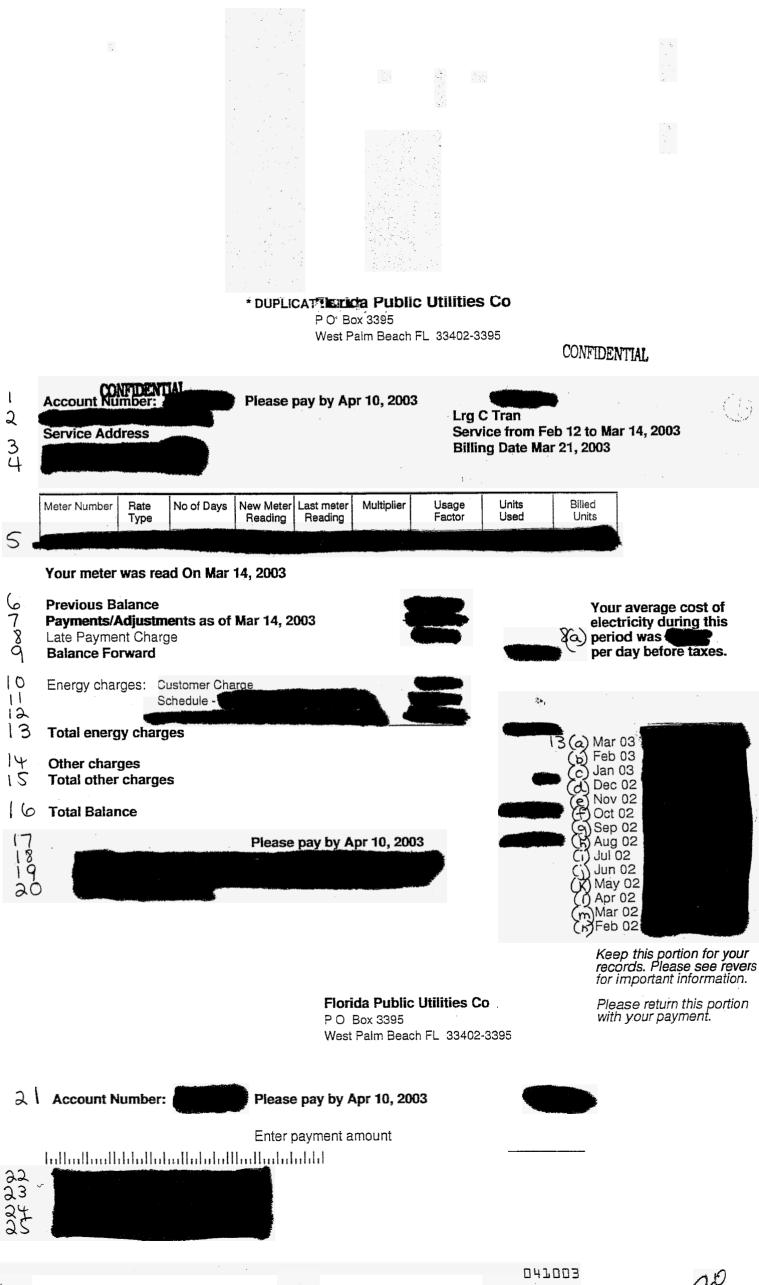




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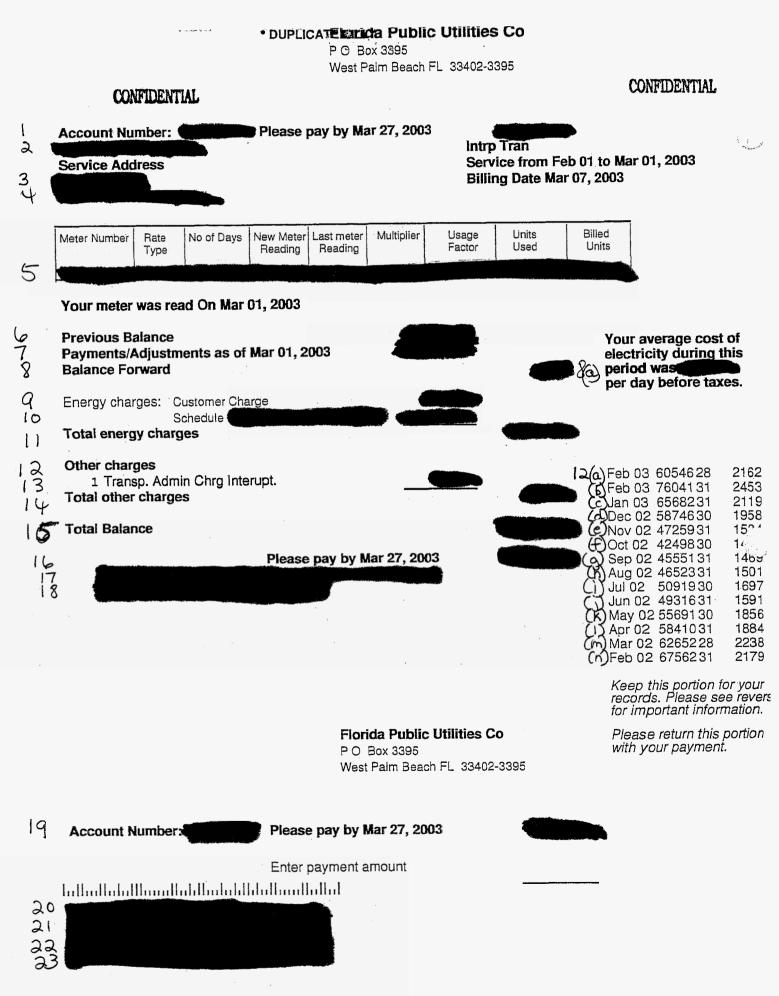




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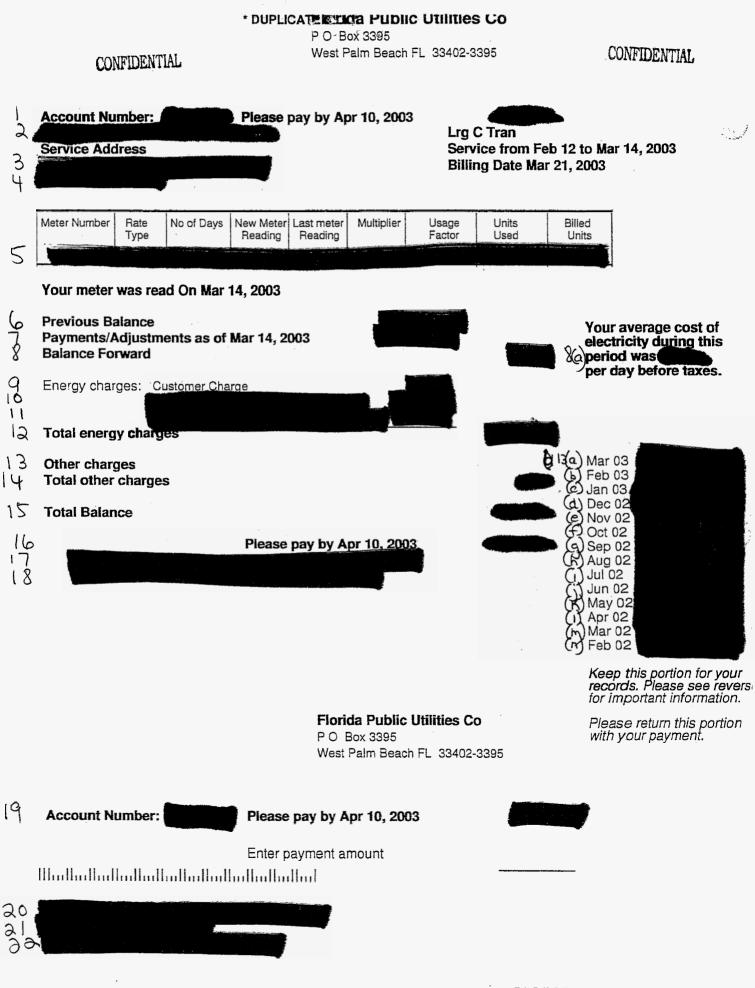
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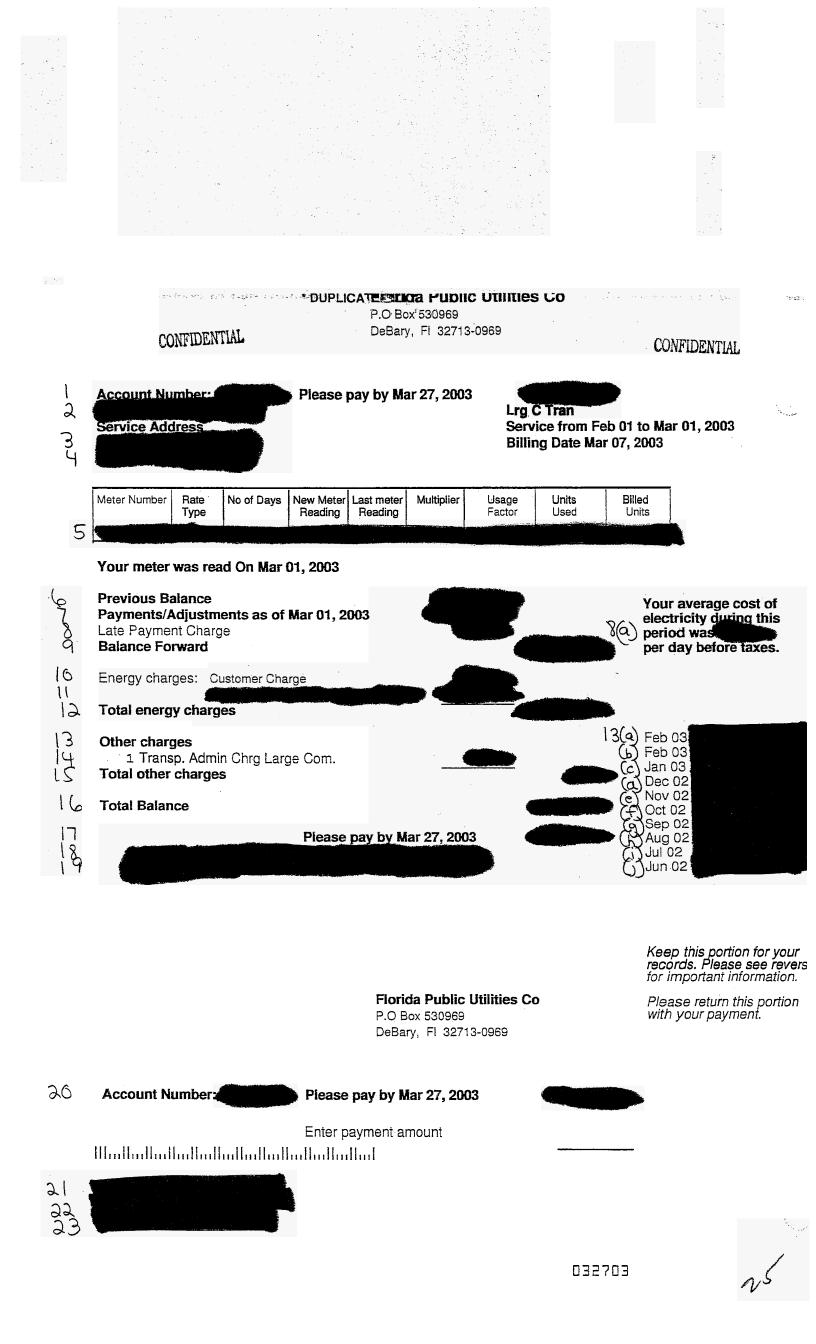
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