



**Public Service Commission**  
 CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
 TALLAHASSEE, FLORIDA 32399-0850  
**-M-E-M-O-R-A-N-D-U-M-**

**DATE:** February 5, 2008  
**TO:** Martha Brown, Office of the General Counsel  
**FROM:** John Slemkewicz, Division of Economic Regulation JS  
**RE:** Docket No. 070304-EI, Confidentiality Request for Document No. 00558208 by Florida Public Utilities Company (FPUC)

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On January 22, 2008, FPUC filed a Request for Confidential Treatment for Exhibits CMMR5 and CMMR6 attached to the Rebuttal Testimony of Cheryl Martin. Exhibit CMMR5 is a copy of the minutes, with attachments, of the Compensation Committee of the Board of Directors. Exhibit CMMR6 is a survey and analysis of the salary levels at various regulated and non-regulated companies.

FPUC asserts that the data in Exhibit CMMR5 is proprietary and confidential because the information presented reflects the discussion of internal company operations and compensation analysis. FPUC states that the disclosure of this information could provide information of value to competitive interests and potential contracts.

FPUC asserts that the data in Exhibit CMMR6 is proprietary and confidential because it is a survey of salaries for all positions within the Company and includes non-electric utility employees as well as electric employees. FPUC states that the disclosure of this information would be of value to competing businesses and would impair the efforts of the Company to negotiate with and maintain its workforce.

Staff has reviewed Exhibits CMMR5 and CMMR6 and agrees with FPUC that the information is proprietary and confidential and not subject to disclosure under Section 366.093(3), Florida Statutes.

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- SEC \_\_\_\_\_
- OTH ML

cc: Cheryl Bulecza-Banks  
 Shari Cornelius  
 Office of Commission Clerk

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