



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: October 14, 2008

TO: Caroline M. Klancke, Senior Attorney, Office of the General Counsel *CK*

FROM: Kathleen L. Kaproth, Professional Accountant Specialist, Division of Economic Regulation

RE: Peoples Gas System - Docket No. 080318-GU, Confidentiality Request

On September 29, 2008, pursuant to Section 366.093, Florida Statutes (F.S.), Peoples Gas System (PGS) filed a request for confidential classification with respect to the highlighted information contained in Document Number 07995-08, PGS's Response to Citizens' Interrogatory No. 38. PGS states that the information contained in this response should be classified as proprietary, confidential business information pursuant to Section 366.093(3)(d) and (e), F.S., and exempt from public disclosure requirements of Section 119.07(1), F.S.

PGS requests confidentiality under Subsection 366.093(3)(d) and (e), F.S., which states:

(3) Proprietary confidential business information means information, regardless of form or characteristic, which is owned or controlled by the person or company, is intended to be and treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. Propriety confidential business information includes, but is not limited to:

- (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 public utility or its affiliates to contract for goods or services on favorable terms.
- (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.

COM _____
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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

(f) Employees personnel information unrelated to compensation, duties, qualifications, or responsibilities.

PGS states that the information contained in the above response includes business information related to the confidentiality provisions of the Settlement Agreement, and the competitive interests with its supplier that is considered confidential, proprietary, and should not be publicly disclosed.

Upon review of the aforementioned documents, staff concurs with PGS that the highlighted information in the response to Citizen's Interrogatory No. 38 meet the requirements for confidential classification pursuant to Section 366.093(3)(d) and (e), F.S. Accordingly, this information should be treated as confidential.

cc: Marshall Willis
Cheryl Bulecza-Banks
Karla Barnes
Office of Commission Clerk

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Public Service Commission

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

DATE: September 29, 2008

TO: _____ OFFICE OF THE GENERAL COUNSEL [GCL]
_____ DIVISION OF SERVICE, SAFETY & CONSUMER ASSISTANCE
[SSC]
XX _____ DIVISION OF ECONOMIC REGULATION [ECR]
_____ DIVISION OF REGULATORY COMPLIANCE [RCP]
_____ OFFICE OF STRATEGIC ANALYSIS AND GOVERNMENTAL
AFFAIRS [SGA]

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 09115-08

DESCRIPTION: PGS (Watson) - (CONFIDENTIAL) Highlighted information contained in answer to Citizens' 2nd set of interrogatories (No. 38).

RECEIVED
FLORIDA PUBLIC SERVICE
COMMISSION
08 SEP 30 AM 9:28
DIVISION OF
ECONOMIC REGULATION

SOURCE: Peoples Gas System

DOCKET NO(S): 080318-GU

The above material was received with a request for confidential classification and motion for 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.

Please read each of the following and check if applicable.

- 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: Kathy Kaproth

Date: 10/15/08

cc: GCL FLL
 CMP CLK
 ECR RCA