

State of Florida



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

DATE: November 12, 2008

TO: Keino Young, Office of the General Counsel

FROM: John Slemkewicz, Division of Economic Regulation *JS*

RE: Docket No. 080317-EI, TECO Rate Case - Confidentiality Request by FIPUG –
Document No.10351-08

The attorney representing FIPUG has requested a confidential classification and temporary protective order for certain information contained in FIPUG's response to TECO's 1st Set of Interrogatories, Interrogatory No. 1. The requested information is a list of the names of the members of the Florida Industrial Power Users Group. Confidentiality is claimed based on the premise that the information is intended to be, and is treated, as private and has not been disclosed to the public.

Based on a review of Rule 25-22.006, Florida Administrative Code, and Section 366.093, Florida Statutes, technical staff is unable to determine whether the information qualifies for confidential treatment. Technical staff believes that it is a legal determination whether the names of the members of a group that has intervened in this docket can be kept confidential.

COM _____
 ECR _____
 GCL _____
 OPC _____
 RCP _____
 SSC _____
 SGA _____
 ADM _____
 CLK *McLean*

cc: ~~Office of Commission Clerk~~

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FLORIDA PUBLIC SERVICE
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09 NOV -4 AM 9:37
DIVISION OF
ECONOMIC REGULATION

DATE: November 4, 2008

TO: OFFICE OF THE GENERAL COUNSEL
DIVISION OF SERVICE, SAFETY & CONSUMER ASSISTANCE
XX DIVISION OF ECONOMIC REGULATION
DIVISION OF REGULATORY COMPLIANCE
OFFICE OF STRATEGIC ANALYSIS AND GOVERNMENTAL AFFAIRS

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 10351-08

DESCRIPTION: FIPUG (Kaufman) - (CONFIDENTIAL) Certain information contained in response to TECO's 1st set of interrogatories (No. 1), at Bates stamp page 1.

SOURCE: Florida Industrial Power Users Group

DOCKET NO(S): 080317-EI

The above material was received with a request for confidential [classification] and motion for temporary protective order classification. 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 Office of Commission Clerk 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: _____

Date: _____

cc: GCL SGA
 RCP CLK
 ECR SSC