

April 8, 2013

HAND DELIVERY

Ms. Ann Cole, Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

claim of confidentiality
notice of intent
X request for confidentiality
filed by OPC

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COMMISSION
CLERK

Re: Docket No. 120311-GU - Petition for approval of positive acquisition adjustment to reflect the acquisition of Indiantown Gas Company by Florida Public Utilities Company

Dear Ms. Cole:

Attached for filing, please find an original and 7 copies of Florida Public Utilities Request for Confidential Classification of certain information in the attachments to its responses to the OPC's "Areas of Concern," which were originally submitted under a Notice of Intent on March 19, 2013. Also enclosed are one highlighted and two redacted copies of the subject material.

As always, please do not hesitate to contact me if you have any questions or concerns. Thank you for your assistance with this filing.

Sincerely,


Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

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Staff Counsel (Klancke)
Office of Public Counsel

DOCUMENT NUMBER-DATE

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of a Positive Acquisition) Docket No. 120311-GU
Adjustment to Reflect the Acquisition of Indiantown)
Gas Company by Florida Public Utilities Company) Filed: April 8, 2013

FLORIDA PUBLIC UTILITIES COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Florida Public Utilities Company ("FPUC" or "Company") by and through its undersigned counsel, pursuant to Section 366.093, Florida Statutes, and consistent with Rule 25-22.006(4), Florida Administrative Code, hereby submits its Request for Confidential Classification for information contained in Attachment OPC-1 (Closing Statement), and Attachment OPC-2 (Exhibits to Asset Purchase Agreement) to its Response to Office of Public Counsel's Areas of Concern with Florida Public Utilities Company ("FPUC"), which was originally submitted under a Notice of Intent on March 19, 2013 (cross-reference Document No. 01381-13). In support of this Request, the Company states as follows:

1. FPUC requests confidential classification of the highlighted rates and terms in the Agreement, which represent specific customer account and bank account information and identification numbers that FPUC treats as proprietary confidential business information consistent with the definition of that term in Section 366.093, Florida Statutes. The information in question is located at:

OPC-1

Page 3 of 9, Line 22, 23, 25 and 26

Page 4 of 9, Lines 22 and 23

Page 5 of 9, Lines 19, 21, and 23

Page 6 of 9, Lines 4, 9 10, 20, 24, 29, 30, and 40

Page 7 of 9, Lines 3 and 6

Page 3 of 9 (Seller's notated Statement), Lines 22, 23 25 and 26

Page 4 of 9, Lines 22 and 23

DOCUMENT NUMBER-DATE

01787 APR-8 2013

FPSC-COMMISSION CLERK

OPC-2

Pages 1 of 15 through 15 of 15, All Lines for Columns "Customer #," "T," and "Name".

2. FPUC treats this information as highly confidential. Release of the referenced information in OPC-1 as a public record would harm FPUC's business operations and ratepayers by impairing the Company's competitive business interests. Likewise, release of the referenced information in OPC-2 would also directly harm the Company and its customers by disclosing sensitive account-specific information that both the Company and its customers treat as confidential. As such, FPUC requests that the Commission protect this information consistent with Rule 25-22.006, Florida Administrative Code.

3. Included with this Request is a highlighted copy of OPC-1 and OPC-2 reflecting the confidential information. Also enclosed are two redacted copies of the Attachments.

4. FPUC asks that confidential classification be granted for a period of at least 18 months. Should the Commission find that it no longer needs to retain the information, FPUC respectfully requests that the confidential information be returned to the Company.

WHEREFORE, Florida Public Utilities Company respectfully requests that the highlighted information contained in Attachments OPC-1 and OPC-2 to its Response to OPC's Areas of Concern be classified as "proprietary confidential business information," and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 8th day of April, 2013.

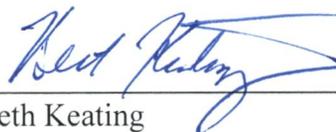


Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

CERTIFICATE OF SERVICE

I HEREBY ATTEST that a true and correct copy of the foregoing Request has been served upon the following by U.S. Mail this 8th Day of April, 2013:

Office of the Public Counsel c/o The Florida Legislature 111 West Madison St., Rm. 812 Tallahassee, FL 32399-1400	



Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 618
Tallahassee, FL 32301
(850) 521-1706