



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR FORCE LEGAL OPERATIONS AGENCY

August 27, 2013

USAF Utility Law Field Support Center  
139 Barnes Drive  
Tyndall AFB FL 32403

Ms. Ann Cole, Director  
Office of Commission Clerk  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RECEIVED-FPSC  
18 AUG 28 PM 1:43  
COMMISSION  
CLERK

Re: Docket No. 130040-EI; Notice of Intent to Request Confidential Classification

Dear Ms. Cole,

The Federal Executive Agencies (FEA) is filing a this notice of intent to request confidential classification pursuant to Rule 25-22.006(3)(a)1, Florida Administrative Code pertaining to answers to the Staff's First Request For Production of Documents (POD) (No. 2,3).

The FEA responded to Staff's First Request for POD on 22 Aug 2013 however the FEA response excluded 3 documents for which the FEA intends to request confidential classification. Specifically in response to POD No. 2 - A Standard & Poor's Ratings Direct Report dated 27 May 2009, and a Standard & Poor's Rating Services Report Dated 22 Apr 2013, as well as one document in response to POD No. 3. A Blue Chip Financial Forecasts Report Vol 32, No 6 dated 1 June 2013.

The FEA's expert witness Brubaker & Associates Incorporated (BAI) purchases these reports from Standard & Poor's and Blue Chip Financial respectively and is not authorized to further disseminate or permit these reports to be made available as part of the public record of this proceeding under Section 119.07(1), Florida Statutes. As a result the reports constitute proprietary confidential business information under Section 366.093, Florida Statutes (specifically Section (3)(e) "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information") and therefore exempt from the provisions of 119.07(1).

I have included the documents in a separate enclosure and labeled them "CONFIDENTIAL" with red ink. Please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Gregory J. Fike".

GREGORY J. FIKE, Lt Col, USAF  
Chief

Attachment: 3 Documents labeled "CONFIDENTIAL" in separate enclosure  
CC: Cover letter via email to Suzanne Brownless, FSC Office of General Counsel