

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Fuel and Purchased Power) DOCKET NO. 890001-EI
Cost Recovery Clause and Generating) ORDER NO. 21112
Performance Incentive Factor) ISSUED: 4-24-89
_____)

ORDER GRANTING CONFIDENTIALITY TO PORTIONS
OF TECO'S JANUARY, 1989
FUEL REPORT FORMS

Tampa Electric Company (TECO) has requested specified confidential classification for the following portions of its January 1989 fuel report:

Form 423-1(a): Columns (h),(i),(j),(k),(l),(m),(n) and (o)

Form 423-2(a): Columns (f),(h),(i),(j),(k) and (l)

Form 423-2(b): Columns (g),(i),(k),(l),(m),(n),(o) and (p)

All of these documents contain information related to the company's fuel contracts. Disclosure of this information, TECO contends, would likely impair its ability to negotiate future fuel and transportation contracts because it would inform potential bidders of current prices paid for services.

Section 366.093(1), Florida Statutes, states in pertinent part:

... Upon request of the public utility, any records received by the Commission which are shown to be proprietary confidential business information shall be kept confidential and shall be exempt for s. 119.07(1).

Subsection (3) of the section defines proprietary confidential business information as, among other things, information concerning bids or other contractual data, the disclosure of which would impair the efforts of the utility to contract for services on favorable terms. Our confidentiality rule state that classification of material as proprietary confidential business information can be justified by demonstrating how the information it contains falls under one of more of the statutory examples. Rule 25-22.006(4), Florida Administrative Code.

An examination of the TECO document which is identified as DN 2732-89, and for which confidentiality is requested, shows it contains confidential information which, if released, could affect the company's ability to contract for fuel on favorable terms.

In consideration of the foregoing it is

ORDERED that DN 2732-89, for which confidentiality is requested, is confidential and shall continue to be exempt from the requirements of section 119.07(1), Florida Statutes. It is further

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04115 APR 24 1989

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ORDERED that if a protest is filed within 14 days of the date of this order it will be resolved by the appropriate Commission panel pursuant to Rule 25-22.006(3)(d), Florida Administrative Code.

By ORDER of Commissioner John T. Herndon, as Prehearing Officer, this 24th day of APRIL, 1989.

John T. Herndon
JOHN T. HERNDON, Commissioner
and Prehearing Officer

(S E A L)

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