

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Fuel and Purchased Power)	DOCKET NO. 900001-EI
Cost Recovery Clause and Generating))	ORDER NO. 23582
Performance Incentive Factor)	ISSUED: 10-04-90
_____)	

ORDER DENYING REQUEST FOR CONFIDENTIAL CLASSIFICATION OF REVISED EXHIBIT

Tampa Electric Company (TECO) filed the involved exhibit of William N. Cantrell on July 10, 1989. At that time, a request for a specified confidential designation was not made. Accordingly, the data in that exhibit was made public. On July 25, 1989, TECO filed a revised exhibit of William N. Cantrell, identified as DN-7471-89. TECO requested specified confidential designation of the highlighted information contained therein pursuant to Section 366.093, Florida Statutes. TECO argued that public disclosure of the transportation costs and FOB mine prices contained therein could significantly harm the competitive position of certain TECO affiliates engaged in coal mining and coal transportation activities which could, in turn, be harmful to TECO and its customers. TECO also noted that in recent decisions the Commission has routinely recognized the proprietary confidential nature of the involved information.

I find TECO's request should be denied for two reasons. First, TECO failed to request confidential classification of the cost information in the original exhibit filed July 10, 1989. At that time, the information for which TECO seeks confidentiality, the highlighted numbers on page 2 of the Coal Market Price application, were made public. I find, therefore, that data, already disclosed to the public, is not entitled to confidentiality. Second, the highlighted numbers on page 2 of the Transportation Market Price application are not significantly different from, and are basically the same as, the numbers filed earlier. Mainly, the format was rearranged. I find, therefore, that they should not be classified as confidential.

In consideration of the foregoing, it is

ORDERED that TECO's request for confidential classification of the revised exhibit of William N. Cantrell, identified as DN-7471-89, is denied. It is further

ORDERED that if a protest is filed within 14 days of the date of this Order, it shall be heard by the appropriate Commission panel.

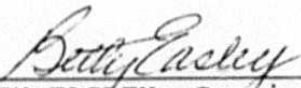
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By ORDER of Commissioner Betty Easley, as Prehearing Officer,
this 4th day of OCTOBER, 1990.



BETTY EASLEY, Commissioner
and Prehearing Officer

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