

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Purchased gas adjustment
(PGA) true-up.

DOCKET NO. 980003-GU
ORDER NO. PSC-98-1669-CFO-GU
ISSUED: December 10, 1998

ORDER GRANTING CONFIDENTIAL CLASSIFICATION TO PORTIONS OF
DOCUMENT NOS. 08520-98 AND 07876-98

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(3)(a)2 and (4), Florida Administrative Code, Florida Public Utilities Company (FPU) requests confidential classification of the information contained in specific portions of Document Nos. 08520-98 and 07876-98. FPU asserts that the information contained in these documents is proprietary, confidential business information within the meaning of Section 366.093(3), Florida Statutes. FPU claims that the disclosure of this information would harm the company or its ratepayers. FPU requests that this information be classified as confidential for a period of 18 months from the date of the issuance of this Order.

FPU requests confidential classification for the information contained in the following table:

TABLE 1: AUDITOR'S WORKPAPERS FOR WHICH CONFIDENTIAL CLASSIFICATION IS SOUGHT

PAGES	LINES	COLUMNS
41/4-1/1: PAGE 1	16-35	B, C
41/4-1/1: PAGES 2-6, 8-11	31-47	B
41/4-1/1: PAGES 7, 12	14-20, 29-40	B
41-2/4-4/1: PAGE 1	16-35	B, C
41-2/4-4/1: PAGES 2- 6, 8-11	31-47	B
41-2/4-4/1: PAGES 7, 12	14-20, 29-40	B
43-1/1: PAGES 12-24	12-24	B, C, E, I
43-1/2: PAGES 13-18	13-18	B, C, E, I

DOCUMENT NUMBER-DATE

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REG-REGARDS/REPORTING

FPU asserts that the information contained within these columns represents the negotiated gas supplies purchased from suppliers other than the Florida Gas Transmission Company (FGT). This information also contains deliveries by gate station. FPU maintains that prices vary based on the operational flexibility of each contract. These data contain the names of gas suppliers from whom FPU is purchasing gas supplies. FPU contends, therefore, that release of supplier names and gas tendered by gate station would be detrimental to the interests of FPU and its customers because it would provide a competitor with a list of FPU's suppliers and operating information. These data also contain information concerning the totals paid to gas suppliers. FPU asserts that releasing such information could provide competing gas suppliers with an advantage over FPU. Suppliers may be less likely to make price concessions if disclosure occurs, according to FPU. FPU maintains that the release of such information has the potential to lead to inflated price fixing by gas suppliers. In this case, FPU contends that release of this information could result in higher gas costs which would have to be passed along to FPU's customers. The information for which confidential classification is sought also represents transactions by FPU and effects its PGA for imbalances traded as an alternative to FGT's cash out program. FPU asserts that transactions of these types are with other pipeline customers and that for that reason, FPU must be assured that no other pipeline customer will be able to ascertain the parties involved in this transaction with FPU or the prices of the components of such transactions or the quantities involved in the transactions. Otherwise, according to FPU, future transactions of this type may be put at undue risk. FPU contends that this information is contractual information which, if made public, "would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes.

FPU requests that the above information be granted confidential classification for a period of 18 months from the date of the issuance of this Order. The information for which confidential classification is requested is contractual, business information concerning gas supplies, gas supplier's names and terms of sale which, if disclosed, "would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes. The information appears to be confidential information within the meaning of Section 366.093, Florida Statutes, and is, therefore, entitled to confidential classification for a period of 18 months

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from the date of the issuance of this Order. At that time, the company's information contained in Document No. 08520-98, may be returned to FPU. Document No. 07876-98, however, reports the audit work performed by staff and must be retained in accordance with the Commission's established records retention requirements. Before the 18 month confidential period expires, FPU may request, for good cause, that the confidential period be extended.

It is therefore

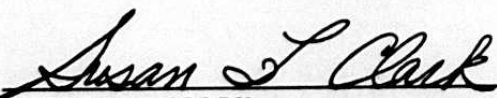
ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the information contained in Document Nos. 08520-98 and 07876-98 is entitled to confidential classification. It is further

ORDERED that the information for which confidential classification is requested is granted confidential classification for a period of 18 months from the date of the issuance of this Order. It is further

ORDERED that the information contained in Document No. 08520-98, consisting of company information, shall be returned to the company at the expiration of the 18 month confidentiality period unless the company, for good cause, requests and extension of the confidential period. It is further

ORDERED that this Order will be the only notification to the parties of the declassification date of this material.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 10th day of December, 1998.



SUSAN F. CLARK
Commissioner and Prehearing Officer

(S E A L)

GAJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.