

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 990003-GU
ORDER NO. PSC-99-1086-CFO-GU
ISSUED: May 26, 1999

ORDER GRANTING CONFIDENTIAL CLASSIFICATION TO FLORIDA PUBLIC UTILITIES COMPANY FOR PORTIONS OF ITS PURCHASED GAS ADJUSTMENT FOR APRIL 1998 - DECEMBER 1998 (DOCUMENT NO. 05501-99)

Pursuant to Rule 25-22.006 (4), Florida Administrative Code, and Section 366.093, Florida Statutes, Florida Public Utilities Company (FPUC) requests confidential classification for portions of George M. Bachman's Direct Testimony Exhibit GMB-1 and the purchased gas cost recovery true-up amount filed April 30, 1999. FPUC asserts that the information contained in Document No. 05501-99 be classified as "proprietary confidential business information" within the meaning of section 366.093, Florida Statutes. The specific information is in Schedule A-1 Supporting Detail Supplement, Schedule A-3, and Schedule A-4. FPUC alleges that the information and material at issue are intended to be and are treated by FPUC as proprietary and confidential. The Commission previously has determined that this type of information is entitled to the protection of Section 366.093 (3), Florida Statutes. See, e.g., Order No. PSC-96-0532-CFO-GU, issued April 15, 1996.

FPUC requests that the information described below be granted confidential classification:

TABLE 1: SCHEDULE A-1, SUPPORTING DETAIL; SCHEDULE A-3; AND, SCHEDULE A-4

SCHEDULES	PAGES	LINES	COLUMNS
A-1 SUPPORTING DETAIL	5	7-11	VENDOR; INVOICE, CREDIT, CHECK, OR IDENTIFYING NUMBER; INVOICE AMOUNT; CLASSIFICATION BREAKDOWN

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

SCHEDULES	PAGES	LINES	COLUMNS
A-3	7 8	1-41 1-14	PURCHASED FROM; SYSTEM SUPPLY; END USE; TOTAL PURCHASED; COMMODITY COST/THIRD PARTY; OTHER CHARGE ACA/GRI/FUEL; TOTAL CENTS PER THERM
A-4	9	1-29	PRODUCER NAME; RECEIPT POINT; GROSS AMOUNT; NET AMOUNT; MONTHLY GROSS; MONTHLY NET; WELLHEAD PRICE; CITYGATE PRICE

FPUC asserts that the information contained within these columns represents negotiated gas supply packages purchased from suppliers other than Florida Gas Transmission Company (FGT). According to FPUC, these purchase prices vary based on the operational flexibility of each contract. This information also contains the names of gas suppliers from which FPUC is purchasing gas supplies. FPUC maintains that the release of supplier names would be detrimental to the interests of FPUC and its customers because it would provide a competitor with a list of FPUC's suppliers. FPUC contends that this information concerns both the volumes purchased and the costs by gas supply source. FPUC asserts that disclosure of this information may render suppliers less likely to make price concessions. FPUC maintains that the release of such information has the potential to encourage price fixing by gas suppliers. Potentially, according to FPUC, the release of the aforementioned information may result in higher gas costs which would have to be passed along to FPUC's customers. This, according to FPUC, "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.

FPUC alleges that these data, specifically the fuel cost, is a function of the cost of gas paid by FPUC to its gas suppliers.

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Release of such information, according to FPUC, would enable a third party to compute FPUC's cost of gas by supplier. This information is contractual information which, if made public, "would impair the efforts of FPUC to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes.

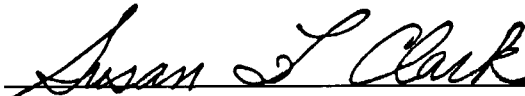
It is therefore

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the information described within the body of this Order and contained in Document No. 05501-99 is granted confidential classification. It is further

ORDERED that the information described within the body of this Order and contained in Document No. 05501-99 is granted confidential classification for a period of 18 months from the date of the issuance of this Order. It is further

ORDERED that this Order shall be the only notice by the Commission to the parties of the declassification date of this document.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 26th Day of May, 1999.



SUSAN F. CLARK
Commissioner and Prehearing Officer

(S E A L)

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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.

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 25-22.038(2), 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.

M E M O R A N D U M

MAY 26, 1999

RECEIVED-FPSC

99 MAY 26 AM 11:05

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (COLLINS) *RC RUE*
RE: DOCKET NO. 990003-GU - PURCHASED GAS ADJUSTMENT (PGA)
TRUE-UP

99-1086-CFO

Attached is an ORDER GRANTING CONFIDENTIAL CLASSIFICATION TO FLORIDA PUBLIC UTILITIES COMPANY FOR PORTIONS OF ITS PURCHASED GAS ADJUSTMENT FOR APRIL 1998 - DECEMBER 1998 (DOCUMENT NO. 05501-99) to be issued in the above referenced docket. (Number of pages in order - *514*)

TRC/js
Attachment
cc: Division of Electric and Gas
Division of Auditing and Financial Analysis
I:\0550199.trc

See 1

MUST GO TODAY