

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Purchased Gas Adjustment
(PGA) True-up.

DOCKET NO. 990003-GU
ORDER NO. PSC-99-1246-CFO-GU
ISSUED: June 24, 1999

ORDER GRANTING CONFIDENTIAL CLASSIFICATION FOR PORTIONS OF CITY
GAS COMPANY OF FLORIDA'S PURCHASED GAS ADJUSTMENT
FOR FEBRUARY, 1999 (DOCUMENT NO. 04162-99)

Pursuant to Section 366.093, Florida Statutes and Rule 25-22.006, Florida Administrative Code, City Gas Company (City Gas) filed a request for confidential classification for portions of its February, 1999, Purchased Gas Adjustment (PGA) filings contained in Document No. 04162-99. City Gas requests confidential classification for Schedules A-3 and A-4 of the Purchased Gas Invoices, Summary of Gas Invoices, and Gas Invoices. City Gas asserts that this information is intended to be, and is, treated by City Gas as proprietary and has not been disclosed. City Gas requests that this information be granted confidential classification for a period of 18 months from the date of the issuance of this Order pursuant to Section 366.093(4), Florida Statutes.

City Gas requests confidential classification for the information contained in the following table:

TABLE 1: SCHEDULE A-3

| Pages | Lines | Columns |
|-------|-------|---------|
| 5 | 2-8 | A-K |

City Gas alleges that the above information, Schedule A-3, "System End Use," identifies City Gas's gas suppliers as well as the price and volume of gas that City Gas purchased for the month. City Gas maintains that disclosure of this information would "impair the efforts of the utility to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes.

In addition, City Gas requests confidential classification for the information contained in the table below:

TABLE 2: SCHEDULE A-4

| Pages | Lines | Columns |
|-------|-------|---------|
| 6 | 1-11 | A, C-H |

DOCUMENT NUMBER-DATE

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REGISTRATION UNIT

City Gas claims that this information, Schedule A-4, Transportation System Supply, represents negotiated gas supply packages purchased from vendors. City Gas asserts that these prices vary according to the operational flexibility of each contract. City Gas alleges that the release of any information therein would be detrimental to the interests of City Gas and its customers because it would provide competitors with a list of City Gas's suppliers, volumes purchased and costs by gas supply source. City Gas asserts that disclosure of this information would "impair the efforts of the public utility . . . to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes.

Finally, City Gas requests confidential classification of the information contained in the following table:

TABLE 3: INVOICE INFORMATION

| Schedule or Other Identifier | Pages | Lines | Columns |
|-------------------------------------|--------------|-----------------|----------------|
| Summary of Gas Invoices | 9-11 | Other Suppliers | ALL |
| Gas Invoices | B1-B7 | none | none |
| Gas Invoices | B8-B25 | All | All |

City Gas maintains that the third party gas invoices represented by the above table contains negotiated gas supply packages. These packages contain data that must be kept confidential according to contractual terms between City Gas and individual suppliers. City Gas contends that disclosure of any information contained in these invoices such as supplier identity, price or quantity of gas purchased could "impair the efforts of the public utility to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes.

City Gas asserts that it is necessary to keep the entire invoice confidential because any person familiar with the format, fonts and/or type sizes of each gas supplier can easily determine that gas supplier's identity. City Gas requests that this information not be made public because release of such information may lead suppliers to fix prices at inflated levels. City Gas claims ratepayers may pay higher gas costs because of this.

In addition to the above information, City Gas requests that the summary schedule it provided which summarizes all gas invoices and imbalance dispositions be granted confidential classification.

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This document contains summaries of the information for which City Gas has requested confidential classification in the tables above.

Upon review, it appears that the foregoing information represents contractual data, the disclosure of which "would impair the efforts of the public utility . . . to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes. Therefore, this information shall be granted confidential classification.

City Gas has requested that this information be granted confidentiality for a period of 18 months in accordance with Section 366.093(4), Florida Statutes. This time period appears to be necessary in order to allow City Gas to negotiate future gas purchase contracts with suppliers and competitors on favorable terms. The information, therefore, shall be held confidential for a period of 18 months from the issuance of this Order.

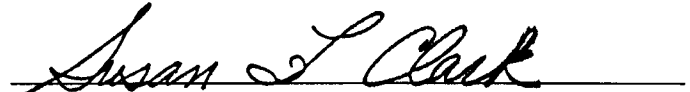
It is therefore

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that City Gas Company's request for confidential classification of portions of Document No. 04162-99 is granted. It is further

ORDERED that the information for which confidential classification has been requested will be 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 notification by the Commission to the parties concerning the expiration of the confidentiality time period.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 24th Day of June, 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.

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M E M O R A N D U M

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JUNE 24, 1999

RECORDS AND
REPORTING

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

99-1246-CFO

Attached is an ORDER GRANTING CONFIDENTIAL CLASSIFICATION FOR PORTIONS OF CITY GAS COMPANY OF FLORIDA'S FEBRUARY, 1999, PGA FILING (DOCUMENT NO. 04162-99) to be issued in the above referenced docket. (Number of pages in order - 4)

TRC/js
Attachment
cc: Division of Electric & Gas
I:/0416299.trc

MUST GO TODAY

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