

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 000003-GU
ORDER NO. PSC-00-0480-CFO-GU
ISSUED: March 7, 2000

ORDER GRANTING CONFIDENTIAL CLASSIFICATION FOR PORTIONS OF CITY
GAS COMPANY OF FLORIDA'S PURCHASED GAS ADJUSTMENT
FOR JULY, 1999 (DOCUMENT NO. 10305-99)

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 pages B11 and B12 of its July, 1999, Purchased Gas Adjustment (PGA) filings contained in Document No. 10305-99. City Gas asserts that this information is intended to be, and is, treated by City Gas as proprietary and has not been publicly disclosed. City Gas requests that this information be granted confidential classification for a period of 18 months from the date of issuance of this Order pursuant to Section 366.093(4), Florida Statutes.

City Gas requests confidential classification for the information contained in pages B11 and B12, which represents the confidential version of its PGA filing for July, 1999. City Gas represents that this information contains contractual data relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Therefore, City Gas believes this information is entitled to confidential classification. City Gas also maintains that this information is subject to its previous request for confidentiality.

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.

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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. 10305-99 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 7th Day of March, 2000.



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.