

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Purchased Gas Adjustment
(PGA) Cost Recovery.

DOCKET NO. 000003-GU
ORDER NO. PSC-00-0506-CFO-GU
ISSUED: March 7, 2000

ORDER GRANTING CONFIDENTIAL CLASSIFICATION TO PORTIONS OF CITY
GAS COMPANY'S PURCHASED GAS ADJUSTMENT FOR AUGUST, 1999 (DOCUMENT
NO. 11444-99)

Pursuant to Rule 25-22.006, Florida Administrative Code, and Section 366.093, Florida Statutes, City Gas Company (City Gas) requests confidential classification for portions of its August, 1999, Purchased Gas Adjustment (PGA). City Gas asserts that the material for which confidential treatment is sought 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 the issuance of this Order. City Gas asserts that this period is "necessary to allow City Gas to negotiate future gas purchase contracts with suppliers/competitors (and other customers having access to information which would adversely affect the ability of the Company to negotiate such future contracts) on favorable terms."

Specifically, City Gas requests that the following information be granted confidential classification:

TABLE 1: CONTRACTUAL AND BID INFORMATION

SCHEDULE	LINES	COLUMNS/ RATIONALE
A-3 P. 5	2-8	A-K
A-4 P. 6	1-11	A, C, D, E, F, G, H
SUMMARY OF GAS INVOICES PP. 9-11	OTH. SUPP.	

DOCUMENT NUMBER-DATE

03004 MAR-78

FPSC-RECORDS/REPORTING

SCHEDULE	LINES	COLUMNS/ RATIONALE
GAS INVOICES P. B1-B8 B9-B29	NONE ALL	NONE ALL

Pursuant to Section 366.093(3)(d), Florida Statutes, City Gas states in its request that the information sought to be treated as confidential is contractual information which, if made public, would impair the efforts of City Gas to contract for goods or services on favorable terms.

City Gas asserts that the above information represents negotiated gas supply packages purchased from vendors and third-party gas invoices. City Gas contends that if this information was released, it would be "detrimental to the interests of the Company and its customers since it would provide competitors with a list of City Gas's suppliers, volumes purchased and costs by gas supply source."

City Gas represents that it is essential to keep the entire invoice confidential "as any person familiar with the format, fonts and/or type sizes that each gas supplier uses in constructing respective invoices can easily determine their identity." Alternatively, City Gas requests the following information be treated as confidential: the supplier's identity, address and phone number; length of contract; invoice date and number; contract number; customer identification number; description of service; average daily therm usage; name, address and phone number of contact person; points of gas receipt and delivery; transaction date; rate codes; base rates; surcharges and discounts; volumes; and payment due. City Gas asserts that release of the above information "may lead suppliers to fix prices at inflated levels and as a consequence, ratepayers may pay higher gas costs." City Gas also asserts that its schedule summarizing all gas invoices and imbalance positions "is intended to facilitate the Commission's review of the filing."

Upon review, this information appears to disclose rates and costs, suppliers, invoices, vendors, and price and quantity of gas purchased. Because of its sensitive nature, it appears that the information described in the body of this Order is proprietary, confidential business information relating to bids and contracts, "the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods and services on

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utility or its affiliates to contract for goods and services on favorable terms." Section 366.093(3), Florida Statutes. Therefore, City Gas's request is granted. Pursuant to Section 366.093(4), Florida Statutes, this information shall be granted confidential classification for a period of 18 months from the date of the issuance of this Order.


It is therefore

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the information described in the body of this Order and contained in Document No. 11444-99 is granted confidential classification. It is further

ORDERED that the information described in the body of this Order and contained in Document No. 11444-99 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 will 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 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.

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.

MEMORANDUM RECEIVED-FPSC ✓

MARCH 7, 2000

00 MAR -7 PH 1:56

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CROSSMAN) *of RVE*

RE: DOCKET NO. *000003-GU* ~~990003-GU~~ - PURCHASED GAS ADJUSTMENT (PGA)
COST RECOVERY.

0506-CFD

Attached is an Order Granting Confidential Classification to Portions of City Gas Company's Purchased Gas Adjustment for August, 1999 (Document No. 11444-99), to be issued in the above-referenced docket. (Number of pages in order - 4)

SAC/anc
Attachment
cc: Division of Electric and Gas
I: 1144499.sac

MUST GO TODAY

*9 mailed
RTR*