

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Purchased Gas Adjustment
(PGA) Factors.

DOCKET NO. 010003-GU
ORDER NO. PSC-01-0406-CFO-GU
ISSUED: February 19, 2001

ORDER GRANTING CONFIDENTIAL CLASSIFICATION OF CERTAIN MATERIALS
OBTAINED IN PREPARATION OF AUDIT REPORT NUMBER 99-042-4-2 OF
FLORIDA PUBLIC UTILITIES COMPANY'S PURCHASED GAS ADJUSTMENT
(DOCUMENTS NOS. 07296-99 AND 07805-99)

Florida Public Utilities Company (FPUC or Company) requests confidential classification of certain materials obtained during the Purchased Gas Adjustment Audit, Audit No. 99-042-4-2 (Audit). FPUC makes this request pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(3)(a)(2) and (4), Florida Administrative Code. FPUC asserts that this information is intended to be, and is treated by FPUC and its affiliates as confidential information and has not been disclosed to the public. The information for which FPUC requests confidential treatment is filed with the Commission as Documents Nos. 07296-99 and 07805-99.

FPUC requests that the following work papers be granted confidential classification:

STAFF WORK PAPER PAGE NOS.	PAGE NOS.	LINE(S)	COLUMN(S)
41-1/4-2	2	ALL	-----
41-2/4-2	4	ALL	-----
41-2/4-2	5	ALL	-----
41-4	1	10, 12, 14, 16 14, 16, 18 23	B, D, F H, J L, N
41-4/1	1	10-13, 27-30 19 36-47 56-60	A-C A, C-H H, J, K B-G

DOCUMENT NUMBER-DATE

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FPUC-RECORDS/REPORTING

STAFF WORK PAPER PAGE NOS.	PAGE NOS.	LINE(S)	COLUMN(S)
41-4/2	1	1-13	-----
43-1	2	7-10	B, C, E, I
43-1/1-3	1	1-80	-----
43-2	2	7-13	B, C, E, I
43-2/1-2	1	1-80	-----
43-2/1-2	2	1-80	-----
43-2/1-2	3	1-80	-----
43-2/1-2	4	1-80	-----
43-2/1-2	5	1-80	-----
43-2/1-2	6	1-80	-----
43-2/1-2	7	13-16 23 24	A-C F, G, H F, H

FPUC asserts that the information above represents negotiated gas supplies purchased from suppliers other than Florida Gas Transmission Company and deliveries by gate station, as well as competitively made Off System Sales data. FPUC contends that the prices vary based on the operational flexibility of each contract. FPUC maintains that the information contains the names of gas suppliers from whom the Company purchases gas supplies. Therefore, FPUC asserts that release of supplier names and gas tendered by gas station would be detrimental to the interest of the Company and its customers.

Additionally, FPUC asserts that the information above represents totals paid to gas suppliers and therefore, releasing such information could provide competing gas suppliers with an advantage over FPUC. The Company contends that suppliers may be less likely to make price concessions which could lead to inflated

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price fixing by suppliers. Therefore, FPUC asserts that release of the information could result in higher costs which would have to be passed along to FPUC's customers.

FPUC maintains that this information represents transactions by the Company and affects its PGA for imbalances traded and as an alternative to Florida Gas Transmission Company's cash out program. The Company asserts that transactions of this type are with other pipeline customers. Therefore, FPUC 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.

CONCLUSION

Upon review it appears that the information discussed above is proprietary, confidential business information and should be given confidential treatment, pursuant to Section 366.093(4), Florida Statutes, for a period of eighteen months from the date of the issuance of this Order. Based on the foregoing, FPUC's request for confidential treatment of Documents Nos. 07296-99 and 07805-99 is granted.

It is therefore

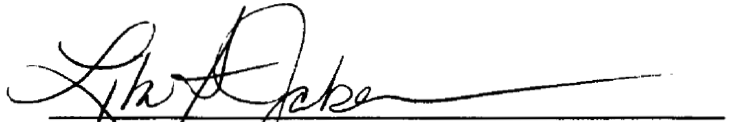
ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that the information described in Florida Public Utilities Company's Request for Confidential Treatment of Certain Materials Obtained in Preparation of Audit Report Number 99-042-4-2 of its Purchased Gas Adjustment, Documents Nos. 07296-99 and 07805-99, is granted confidential classification. It is further

ORDERED that the information described within the body of this Order shall be granted confidential treatment for 18 months. It is further

ORDERED that this Order will be the only notification by the Commission to the parties of the date of declassification of the materials discussed herein.

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By ORDER of Commissioner Lila A. Jaber as Prehearing Officer,
this 19th day of February, 2001.



LILA A. JABER
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

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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.