

BEFORE THE PUBLIC SERVICE COMMISSION

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

DOCKET NO. 050003-GU

ORDER NO. PSC-05-0916-CFO-GU

ISSUED: September 16, 2005

ORDER GRANTING CONFIDENTIAL CLASSIFICATION FOR
CERTAIN MATERIALS OBTAINED IN PREPARATION OF THE
PURCHASED GAS ADJUSTMENT AUDIT (AUDIT NO. 05-039-4-1)
OF FLORIDA CITY GAS COMPANY OF FLORIDA FOR THE TWELVE MONTHS
ENDING DECEMBER 31, 2004 (DOCUMENTS NOS. 06630-05 AND 06841-05)

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida City Gas (Florida City Gas or company) filed a request for confidential classification for portions of its Purchased Gas Adjustment (PGA) audit for the twelve months ending December 31, 2004. The company requests confidential classification of various work papers that were produced during the audit and are now contained in Documents Nos. 06630-05 and 06841-05. The company asserts that the information in the documents is intended to be proprietary, is treated as proprietary, and has not been publicly disclosed. Florida City Gas requests that the Commission grant confidential classification for the documents for a period of 18 months from the date of the issuance of this Order, pursuant to Section 366.093(4), Florida Statutes.

Section 366.093(1), Florida Statutes, provides that records that the Commission has found to contain proprietary confidential business information shall be kept confidential and shall be exempt from Chapter 119, Florida Statutes, Florida's Public Records Act. Section 366.093(3), Florida Statutes, defines proprietary confidential business information as information that is intended to be and is treated by the company as private, in that disclosure of the information would cause harm to the company's ratepayers or business operations, and that has not been voluntarily disclosed to the public. Section 366.093(3), Florida Statutes, provides in pertinent part that proprietary confidential business information includes:

* * *

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.

(e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.

* * *

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

DOCUMENT NUMBER-DATE

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WORKPAPER	PAGE(S)	LINE(S)	TYPE OF INFORMATION
Documents 06630-05 and 06841-05			
41-5/1	1	1-50	Sensitive competitive business information
41-5/1	2	1-5	Sensitive competitive business information
41-5/1	3	1-6	Sensitive competitive business information
41-5/1	4	1-53	Sensitive competitive business information
41-5/1	5	1-52	Sensitive competitive business information
41-5/1	6	1-41	Sensitive competitive business information
41-5/2	1-16	1-8, 10-13, 17	Sensitive competitive business information

Upon review, it appears that the above-referenced information satisfies the criteria set forth in Section 366.093(3)(d) and (e), Florida Statutes. The information contains customer contractual information, the disclosure of which would impair the company's ability to contract for the sale of goods and services on favorable terms and impair the competitive interests of its customers. Therefore, I grant confidential classification for Documents Nos. 06630-05 and 06841-05.

Pursuant to Section 366.093(4), Florida Statutes, the information for which confidential classification is granted herein shall remain protected from disclosure for a period of 18 months from the date of issuance of this order. At the conclusion of the 18 month period, the confidential information will no longer be exempt from Section 119.07(1), Florida Statutes, unless Florida City Gas or another affected person shows, and the Commission finds, that the information continues to contain proprietary confidential business information.

It is therefore,

ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that Florida City Gas Company's request for confidential classification of portions of Documents Nos. 06630-05 and 06841-05 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

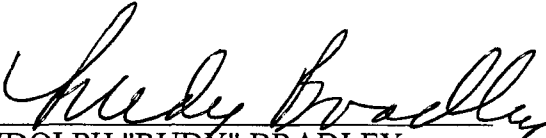
ORDERED that this Order shall be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

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By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this
16th day of September, 2005.



RUDOLPH "RUDY" BRADLEY
Commissioner and Prehearing Officer

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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; or (2) 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 the Commission Clerk and Administrative Services, 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.