

State of Florida

RFR
T

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON



DIVISION OF AUDITING &
FINANCIAL ANALYSIS
TIMOTHY DEVLIN,
DIRECTOR
(904) 488-8147

Public Service Commission

ORIGINAL
FILE COPY

March 25, 1991

Florida Public Utilities Company
Attn: E. J. Patterson

~~P. O. Drawer 9
1400 Palm Beach, FL 33402-3395~~

~~DATE RE: PATTERSON~~

Docket No. 910076-EI -- Florida Public Utilities
(Marianne Division) - Earnings Review Audit

Mr. John Slenkewicz, the Electric and Gas Division Coordinator for this petition, requested that an audit of utility accounting information filed with Docket Number 910076-EI be completed by July 1, 1991. Accounts selected for audit will be examined for compliance with Commission rules, orders, and company policy. Ms. Kathy Welch, (305)470-5600, the District Field Audit Supervisor, will coordinate the audit.

- ACK
- AFA
- APP
- CAF
- CMU
- CTR
- EAG
- LEG
- LIN
- OPC
- RCH
- SEC
- WAB
- BYH

The audit will be based upon an examination of documents and records underlying the filed exhibits. Documents that contain information which an officer of the utility certifies as confidential and proprietary business information may, by following procedures contained in Rule 25-22.006, F.A.C., qualify for an exemption from the Public Records Law 119.07(1), Florida Statutes. Excerpts from this rule are provided in an attachment to this letter. Write or call the Florida Public Service Commission's Office of the General Counsel for additional information, (904)488-7465.

The audit manager should schedule an audit exit conference with you or your representative. This conference serves to advise you of draft audit findings and also to provide a final check to detect any misunderstanding or improper audit interpretation of a company document or procedure. Accurate timely reports can significantly reduce the hours and cost required to conduct a Commission hearing.

DOCUMENT NUMBER - DATE
02949 MAR 25 1991
PSC-RECORDS/REPORTING

Florida Public Utilities Company
Attn: Mr. El. J. Patterson
March 25, 1991
- 2 -

An audit report will be issued as an internal use document. The Commission Clerk will mail a copy of that report to the company liaison officer for an official response.

I expect staff to conduct business as a professional. If you have questions regarding the audit or staff conduct, please call me.

Sincerely,



Frank Doud
Deputy Director/Audit

FD/sp

Enclosures: (1) Excerpts from Rule 25-22.006, F.A.C. and
366.093, F.S.

cc: Field Audit Supervisor
Legal Services (w/o enclosures)
Division of Records and Reporting

EXCERPTS FROM RULE 25-22.006, F.A.C. AND 366.093, F.S.

These excerpts do not provide complete information necessary for a utility to safeguard confidential material from public disclosure. See the complete text of Rule 25-22.006, F.A.C.

If the utility ... believes information requested by staff is confidential, the utility may require that the staff request be in writing. Prior to staff obtaining any material (See definition) a utility ... may receive temporary exception from Section 119.07 (1), F.S., by filing a notice of intent to request confidential classification. The notice of intent ... shall be filed with the Division of Records and Reporting and shall have appended to it a copy of any written request for the material to which it relates. To maintain continued confidential handling ... the utility ... must, within 21 days after staff has obtained the material, (or ... after the field audit exit conference), file a request for confidential classification with the Division of Records and Reporting. Rule 25-22.006 (3) (a), F.A.C.

The burden of proof shall be on the utility A request ... that fails to identify the material for which confidential classification is sought in sufficient detail to permit a reasoned analysis or which fails to provide the required justification for classification may be denied Rule 25-22.006 (4) (e), F.A.C.

Proprietary confidential business information includes, but is not limited to: (a) Trade secrets, (b) Internal auditing controls and reports of internal auditors, (c) Security measures, systems or procedures, (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 and services on favorable terms, (e) Information relating to competitive interests, the disclosure of which would impair the competitive interests, the disclosure of which would impair the competitive business of the provider of the information, (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. 366.093 (3), F.S.

Requests for confidential classification ... shall be ruled upon expeditiously by the prehearing officer Rule 25-22.006 (3) (c), F.A.C.

Definition: "Obtaining Material" means receiving material pursuant to filing or taking physical control of material by removing the original material or a copy of it from the utility or other person's premises. Obtaining material also means the extraction of data from material for inclusion in working papers or memoranda. Rule 25-22.006 (1) (e), F.A.C.