

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Specified ) DOCKET NO. 920382-EI  
Confidential Treatment of )  
Security Guard Service Proposal ) ORDER NO. PSC-92-0741-CFO-EI  
for Each Contractor Consent )  
for the 1992 Security Guard ) ISSUED: 07/30/92  
Contract and Guard Service )  
Project - 1992 - Rating Recap, )  
by Tampa Electric Company )  
\_\_\_\_\_ )

ORDER GRANTING CONFIDENTIAL CLASSIFICATION

By request filed June 24, 1992, Tampa Electric Company (TECO) has asked that we treat as confidential bidder price quotes in a billing rate recap related to security guard services, identified as "Item A."

Florida law provides, in section 119.07, Florida Statutes, the process by which records kept by government agencies are made public. Subparagraph 119.07(3)(a) provides exceptions for public records which are presently provided by law to be confidential. In the instant matter the exceptions are provided in Section 366.093, Florida Statutes, as summarized in Attachment 1.

Subsection 366.093(1), Florida Statutes, provides that "proprietary confidential business information" shall be kept confidential and shall be exempt from subsection 119.07(1). Subsection 366.093(3) provides a definition which reads:

The term "proprietary confidential business information" means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed pursuant to a statutory provision, an order of a court of administrative body, or private agreement that provides that the information will not be released to the public.

Subsection 366.093(3) also provides a list of categories which would be included in the term "proprietary confidential business information." Included on that list is information concerning bids or other contractual data.

This material, as summarized in Attachment 1, is covered by subsection 366.093(3)(d) as it consists of bid contract data. Moreover, "Item A" consists of the same information (presented in a different format) which was granted confidential classification

DOCUMENT NUMBER-DATE

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in Order No. PSC-92-0467-PCO-EI in this docket. Therefore, it will be classified as confidential pursuant to this statutory provision.

In view of the above, it is

ORDERED that "Item A" submitted by Tampa Electric Company be treated as confidential. It is further

ORDERED that the proprietary business information shall be afforded confidential treatment until January 1, 1994.

BY ORDER of Chairman Thomas M. Beard, as Prehearing Officer, this 30th day of July, 1992.

  
THOMAS M. BEARD  
Chairman and Prehearing Officer

(SEAL)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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

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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 sewer utility. A motion of 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.

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ATTACHMENT 1

DOCKET NO. 920382-EI -- TECO REQUEST FOR CONFIDENTIAL  
CLASSIFICATION -- DOCUMENT 6765-92, JUNE 24, 1992

PAGE NO.                      JUSTIFICATION

ITEM A	SECURITY GUARD/BILLING RECAP
line 6, numbers	Contract bid data
line 7, numbers	Contract bid data
line 8, numbers	Contract bid data
line 9, numbers	Contract bid data
line 10, numbers	Contract bid data
line 11, numbers	Contract bid data
line 14, numbers	Contract bid data
line 15, numbers	Contract bid data
line 16, numbers	Contract bid data
line 17, numbers	Contract bid data
line 18, numbers	Contract bid data
line 19, numbers	Contract bid data