

7799

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO



TIMOTHY DEVLIN, Director
Auditing & Financial Analysis
(904) 488-8147

Public Service Commission

ACK _____
AFA _____
APP _____
C/F _____
CMU _____
C/M _____
F _____
L _____
M _____
N _____
P _____
S _____
WAS _____
OIH _____

December 21, 1992

Tradewinds Utilities, Inc.
Charles de Menzes
Post Office Box 5220
Ocala, FL 32678-5220

Dear Mr. de Menzes:

Docket No. 921260-WS -- Tradewinds Utilities, Inc.
Transfer Audit Request

The Florida Public Service Commission will review the rate base for partial transfer of facilities in accordance with Commission audit procedures. Auditors may select one or more accounts for detailed examination. Access may be requested to documents and records supporting affiliate company transactions that affect regulated operations. Staff auditors may also request to review the firm's external audit working papers for the most recent independent audit. Ian Forbes, the district office supervisor, (407) 423-6146, will coordinate this audit.

Rule 25-30.110(b), F.A.C., states that, "Unless otherwise authorized by the Commission, each utility shall maintain its records at the office or offices of the utility within this state and shall keep those records open for inspection during business hours by Commission staff".

Rule 25-22.006, F.A.C., promulgates the procedure to exempt confidential and proprietary business information from Public Records Law 119.07(1), Florida Statutes. Excerpts from this rule are attached to this letter however, the rule should be read in its entirety when an exemption is claimed. Write or call the Florida Public Service Commission's Office of the General Counsel for additional information, (904) 488-7463.

DOCUMENT NUMBER-DATE

11774 DEC 22 1992

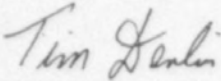
TRADEWINDS UTILITIES, INC.
December 21, 1992

- 2 -

A formal audit report will be issued for internal official use only by the Commission on or about March 15, 1993. An audit exit conference will be scheduled to inform you of draft findings and prevent audit staff misunderstanding of a company record or procedure. A copy of the final report will be mailed to the company liaison officer listed in the Commission Mailing Directory. Comments should be mailed to the Commission Clerk within ten days after receipt.

Questions regarding the audit or staff conduct should be directed to Ian Forbes or myself.

Sincerely,



Timothy J. Devlin

TJD/sp

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

cc: William Talbott, Deputy Executive Director/Tech. (w/o enclosure)
Field Audit Supervisor
Legal Services (w/o enclosure)
Division of Records and Reporting (w/o enclosure)
Public Counsel

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 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.