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**ORIGINAL
FILE COPY**

October 28, 1994

Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0850

HAND DELIVERY

RE: Docket No. 940620-GU
Application for a rate increase by FLORIDA PUBLIC UTILITIES
COMPANY.

Dear Ms. Bayo:

Enclosed for filing in the above docket are an original and 15
copies of our Notice of Intent to Request Confidential
Classification on behalf of FLORIDA PUBLIC UTILITIES COMPANY.

Please acknowledge receipt of the foregoing by stamping the
enclosed extra copy of this letter and returning same to my
attention. Thank you for your assistance.

Sincerely,

Wayne L. Schiefelbein
Wayne L. Schiefelbein

RECEIVED & FILED
mas
FPSC-BUREAU OF RECORDS

ACK 5
RFA 5
APP _____
CAF Print
CMU _____
CTR WLS/l dv
EAG McLennan Enclosure
LEG Palecki
LIN 4
OPC _____
RCH _____
SEC 1
WAS _____
OTH _____

DOCUMENT NUMBER-DATE

10992 OCT 28 94

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a rate)
increase by FLORIDA PUBLIC)
UTILITIES COMPANY)

Docket No. 940620-GU

Filed: October 28, 1994

FLORIDA PUBLIC UTILITIES COMPANY'S NOTICE OF
INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

Florida Public Utilities Company (FPU), by and through its undersigned counsel and pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, provides notice of intent to request confidential classification as follows:

1. During the course of its pending audit in the above docket, Commission Staff has requested documentation as set forth in the attached Document/Request No. 8 (Exhibit A).

2. The documentation thereby requested is intended to be and is treated by FPU as proprietary confidential business information as that term is defined in Section 366.093(3), Florida Statutes.

3. FPU therefore intends to submit a formal request for confidential classification of the documentation requested by Document/Request No. 8 within twenty-one (21) days after the field audit exit conference for this proceeding.

4. FPU further gives notice of its intent to include within the material subject to said formal request for confidential classification any staff work product (audit workpapers) containing confidential information extracted from the documentation requested by said Document/Request No. 8.

5. In light of the instant notice, the aforesaid documentation and material is exempt from Section 119.07(1), Florida Statutes and must be accorded stringent internal procedural

DOCUMENT NUMBER-DATE

10992 OCT 28 1994

FPSC-RECORDS/REPORTING

safeguards by the Commission and its Staff against public disclosure, pursuant to Rule 25-22.006(3)(d), Florida Administrative Code.

Respectfully submitted this 28th day of October, 1994.

Wayne L. Schiefelbein

WAYNE L. SCHIEFELBEIN
Gatlin, Woods, Carlson & Cowdery
1709-D Mahan Drive
Tallahassee, Florida 32308
(904) 877-7191

Attorneys for FLORIDA PUBLIC
UTILITIES COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by hand delivery this 28th day of October, 1994 to MICHAEL A. PALECKI, ESQ., Division of Legal Services, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399-0850.

Wayne L. Schiefelbein
Wayne L. Schiefelbein

148872

(Please Use Ball Point Pen - Press Hard)

FLORIDA PUBLIC SERVICE COMMISSION
DOCUMENT / RECORD REQUEST

TO: George Bachman
UTILITY: FPOC
FROM: R. Grant
(AUDIT MANAGER)

Ruth Young
(AUDITOR PREPARING REQUEST)

REQUEST NUMBER: B
AUDIT PURPOSE: Rate Case

DATE OF REQUEST: 10/25/94

REQUEST THE FOLLOWING ITEM(S) BE PROVIDED BY 10/28/94
(DATE)

REFERENCE RULE 25-22.006, F.A.C., THIS REQUEST IS MADE:
ITEM DESCRIPTION: INCIDENT TO AN INQUIRY
 OUTSIDE OF AN INQUIRY

As discussed, please provide source documentation
for the \$7.5 million estimated clean up costs

TO: AUDIT MANAGER Roy Grant DATE 10/23/94

THE REQUESTED RECORD OR DOCUMENTATION:

- (1) HAS BEEN PROVIDED TODAY
- (2) CANNOT BE PROVIDED IN THREE (3) WORK DAYS BUT WILL BE MADE AVAILABLE BY _____
- (3) AND IN MY OPINION THIS MATERIAL IS PROPRIETARY AND CONFIDENTIAL BUSINESS INFORMATION AS DEFINED IN 364.183, 366.093, OR 367.156, F.S. I UNDERSTAND THAT TO OBTAIN TEMPORARY CONFIDENTIAL HANDLING A NOTICE OF INTENT MUST BE FILED WITH THE DIVISION OF RECORDS AND REPORTING. TO MAINTAIN CONTINUED CONFIDENTIAL HANDLING OF THIS MATERIAL THE UTILITY OR OTHER PERSON MUST, WITHIN 21 DAYS AFTER THE COMMISSION STAFF HAS OBTAINED THE MATERIAL (OR IN THE CASE OF MATERIAL OBTAINED DURING THE COURSE OF AN AUDIT, WITHIN 21 DAYS AFTER THE AUDIT EXIT CONFERENCE) FILE A REQUEST FOR CONFIDENTIAL CLASSIFICATION WITH THE DIVISION OF RECORDS AND REPORTING, REFER TO RULE 25-22.006 F.A.C.
- (4) THE ITEM WILL NOT BE PROVIDED. (SEE ATTACHED MEMORANDUM)

George Bachman Accounting Manager
SIGNATURE AND TITLE OF RESPONDENT

DISTRIBUTION:
Original: Utility Complete and Return to Auditor Pink: To FPSC Analyst Goldenrod: Audit File Copy Canary: Utility Retain
PSC/AFA-6 (Rev. 7/90)