

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 980003-GU  
ORDER NO. PSC-98-0545-CFO-GU  
ISSUED: April 20, 1998

ORDER GRANTING CONFIDENTIAL CLASSIFICATION FOR PORTIONS OF CITY  
GAS COMPANY OF FLORIDA'S DECEMBER, 1997, PGA FILINGS  
(DOCUMENT NO. 01045-98)

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, City Gas Company of Florida (CGC) requests confidential classification for portions of its December Purchased Gas Adjustment (PGA) filings contained in Document No. 01045-98. CGC asserts that the information for which it seeks confidential classification is intended to be and is treated by CGC as proprietary and has not been publicly disclosed. CGC maintains that the information for which confidentiality is sought is information containing bids or other contractual data, the disclosure of which would impair the efforts of the company to contract for goods and services on favorable terms. CGC also asserts that the information relates to competitive interests, the disclosure of which would impair the competitive business of the provider of information. CGC requests that the information for which confidentiality is requested not be declassified for a period of eighteen months from the date of the issuance of this Order in order to allow CGC to renegotiate future gas purchase contracts with suppliers and competitors on favorable terms.

CGC requests that the information contained in Schedule A-3, page 6, lines 2-8, columns A-K be granted confidential classification because this schedule identifies CGC's gas suppliers as well as the price and volume of gas that CGC purchased for the month. CGC argues that public knowledge of this information "would impair the efforts of the utility to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes.

CGC also requests that Schedule A-4, page 6, lines 1-11, columns A, C, D, E, F, G, and H be granted confidential classification because this schedule represents negotiated gas supply packages purchased from vendors. CGC argues that these prices vary according to the operational flexibility of each contract. CGC maintains that release of any information therein would be detrimental to the interests of the company and its

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customers because it would provide competitors with a list of CGC's suppliers, volumes purchased and costs by gas supply source. CGC argues that disclosure of this information "would impair the efforts of the utility to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes.

CGC asserts that the information contained in its Summary of Gas Invoices, pages 9-11, line "Other Suppliers," Gas Invoices, page B10-B27, all lines, all columns, and page C1, all lines, all columns represent negotiated gas supply packages and contain data that must be kept confidential according to contractual terms between CGC and individual suppliers. Furthermore, CGC argues that release of any information such as the supplier's identity, or price and quantity of gas purchased may "impair the efforts of the utility to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes.

CGC argues that it is necessary to keep the whole invoice confidential because any person familiar with the format, fonts, and type sizes used by each gas supplier in constructing respective invoices can easily determine their identity. CGC maintains that release of such information may lead suppliers to fix prices at inflated levels and, as a consequence, ratepayers may pay higher gas costs.

Based on the foregoing, it appears that the information contained in Document 01045-98 for which confidential classification has been requested is entitled to such protection under Section 366.093(3), Florida Statutes. This information appears to be proprietary confidential business information the disclosure of which would harm the utility and its ratepayers. This information is granted confidential classification for a period of eighteen months from the date of the issuance of this Order.

It is therefore

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that portions of City Gas Company's December PGA filings (Document No. 01045-98) as discussed above are granted confidential classification. It is further

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ORDERED that the information described within the body of this Order is granted confidential classification for a period of eighteen months from the date of the issuance of this Order. It is further

ORDERED that this Order will be the only notification by the Commission to the parties of the declassification date of this document.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 20th Day of April, 1998.

  
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SUSAN F. CLARK  
Commissioner and Prehearing Officer

( S E A L )

GAJ

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.

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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 wastewater utility. A motion for 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.