

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 980003-GU
ORDER NO. PSC-98-1028-CFO-GU
ISSUED: July 28, 1998

ORDER GRANTING CONFIDENTIAL CLASSIFICATION TO PORTIONS OF
FLORIDA PUBLIC UTILITIES COMPANY PURCHASED GAS TRUE-UP
FOR APRIL 1996, TO MARCH, 1997
(DOCUMENT NO. 11893-97)

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(4), Florida Administrative Code, Florida Public Utilities Company (FPU) requests confidential classification for portions of its April, 1996, to March, 1997, Purchased Gas True-up (PGA) located in Document No. 11893-97. FPU asserts that Schedules A-1 Supporting Detail Supplement, A-3 and A-4 are entitled to confidential classification because they contain "proprietary confidential business information" within the meaning of Section 366.093(3), Florida Statutes. FPU maintains that this "information and material at issue is intended to be and is treated by FPU as proprietary and confidential." FPU asserts that the Commission has previously granted confidential classification to similar information in Order No. PSC-96-0532-CFO-GU, issued April 15, 1996. FPU requests that the information for which it seeks confidential classification be granted such classification for a period of 18 months from the date of the issuance of this Order.

The information for which FPU requests confidential classification is located in the table below:

TABLE 1: JUSTIFICATION FOR CONFIDENTIALITY OF PGA SCHEDULES

SCHEDULE	PAGE	LINES	COLUMNS
A-1 SUPPORTING DETAIL	4A	9-12	VENDOR INVOICE, CREDIT, CHECK, OR IDENTIFYING NUMBER INVOICE AMOUNT CLASSIFICATION BREAKDOWN COMMODITY

DOCUMENT NUMBER-DATE

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FPSO-RECORDS/REPORTING

SCHEDULE	PAGE	LINES	COLUMNS
A-3	6 & 6A	1-73	PURCHASED FROM SYSTEM SUPPLY END USE TOTAL PURCHASED COMMODITY COST/THIRD PARTY OTHER CHARGES ACA/GRI/FUEL TOTAL CENTS PER THERM
A-4	7	1-17	PRODUCER NAME RECEIPT POINT GROSS AMOUNT NET AMOUNT MONTHLY GROSS MONTHLY NET WELLHEAD PRICE CITYGATE PRICE

FPU asserts that the information contained in these columns, lines, pages and Schedules represents negotiated gas supply packages purchased from suppliers other than Florida Gas Transmission Company. These prices vary based on the operational flexibility of each contract. This information contains the names of gas suppliers from whom FPU is purchasing gas supplies. FPU maintains that release of supplier names would be detrimental to the interests of FPU and its customers because it would provide a

competitor with a list of FPU's suppliers. FPU also contends that this information concerns volumes purchased and costs by gas supply source. FPU asserts that releasing such information could provide competing gas suppliers with an advantage over FPU. FPU maintains that release of such information has the potential to lead to inflated price fixing by gas suppliers. Potentially, FPU contends, release of the aforementioned information may result in higher gas costs which would have to be passed along to FPU's customers. FPU asserts that this would impair its efforts "to contract for goods or services on favorable terms." Section 366.093(30)(d), Florida Statutes. FPU asserts that Schedule A-1 Supporting Detail was requested by staff to assist them and is not normally required as part of the PGA filing.

FPU also contends that Schedules A-3, column "Other Charge ACA/GRI/Fuel" and A-4, column "Citygate Price" are entitled to confidential classification because they are a function of the cost of gas paid by FPU to its gas suppliers. FPU asserts that release of such information would enable a third party to compute FPU's cost of gas by supplier. This information is contractual information, according to FPU, and if made public, it "would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes.

Upon review, it appears as if the information contained within Document No. 11893-97 is entitled to confidential classification. It appears to be proprietary and confidential business information within the meaning of Section 366.093(3)(d), Florida Statutes. Disclosure of this information could harm FPU and result in increased rates for its customers. Accordingly, this information is granted confidential classification for a period of 18 months from the date of the issuance of this Order.

It is therefore

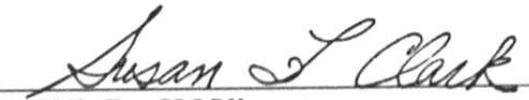
ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the information contained in Document No. 11893-97, Schedules A-1 Supporting Detail, A-3 and A-4 of Florida Public Utilities Company's Purchased Gas True-Up for April, 1996 to March, 1997, is granted confidential classification. It is further

ORDERED that the information contained in Document No. 11893-97 is granted confidential classification for a period of 18 months from the date of the issuance of this Order. It is further

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

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 28th Day of July, 1998.



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.

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,

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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.