

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by Florida Power
& Light Company for confidential
classification of certain
material provided in connection
with audit of "West Palm Beach
and Stuart Joint Trenching"
(Audit Control No. 98-194-4-2).

DOCKET NO. 990348-EI
ORDER NO. PSC-99-1850-CFO-EI
ISSUED: September 20, 1999

ORDER GRANTING REQUEST FOR CONFIDENTIAL CLASSIFICATION

Commission staff (staff) performed an audit of Florida Power & Light Company (FPL or the utility) styled "West Palm Beach and Stuart Joint Trenching." FPL now seeks confidential classification for some of the information retained by staff during the course of this audit.

Pursuant to Section 119.01, Florida Statutes, documents submitted to this Commission are public records. The only exceptions to this law are specific statutory exemptions and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision.

Under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the utility has the burden of demonstrating that the materials qualify for confidential classification. Rule 25-22.006 requires the utility to meet this burden by demonstrating that the materials fall into one of the statutory examples set forth in Section 366.093, or by demonstrating that the information is proprietary confidential business information, the disclosure of which will cause the utility or its ratepayers harm.

FPL seeks confidential treatment for the following types of information: internal audit reports, contractor competitive bid submittals, FPL summaries of contractor bids, purchase order numbers, and other contractual data such as pricing and other terms, payment records, and contractor rates. According to FPL, disclosure of this information would impair the efforts of FPL to contract for joint trenching services on favorable terms or would impair the competitive interests of the contractors. FPL argues that the information for which it seeks confidential treatment

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FPLSC-RECORDS/REPORTING

falls under one of the categories listed below in Section 366.093(3), Florida Statutes:

(b) Internal auditing controls and reports of internal auditors.

* * *

(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 or 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.

FPL asserts that the information for which confidential treatment has been requested is intended to be and is treated as confidential by FPL and has not been disclosed to the public.

Upon review, the information described in the table below is hereby found to be proprietary confidential business information pursuant to Section 366.093, Florida Statutes. The proprietary confidential business information described below shall be kept confidential and shall be exempt from Section 119.07(1), Florida Statutes, for a period of 18 months.

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
Documents 03341-99 and 03457-99					
1	7	1-4	A	Grant	Contractual information the release of which would cause harm
1	8	1-9,11,17,18		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
1	9	1-18		Grant	Contractual information the release of which would cause harm
1	11	All		Grant	Contractual information the release of which would cause harm
1	13	1-13	A-I	Grant	Contractual information the release of which would cause harm
1	15	1-5		Grant	Contractual information the release of which would cause harm
1	16	1	A-L	Grant	Contractual information the release of which would cause harm
1	17	1-2		Grant	Contractual information the release of which would cause harm
1	18		A-L	Grant	Contractual information the release of which would cause harm
1	19	1,2		Grant	Contractual information the release of which would cause harm
Documents 03341-99 and 03457-99					
1	20		A-L	Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
1	23	1-3		Grant	Contractual information the release of which would cause harm
9-1	1	All		Grant	Auditing controls and internal auditing reports
9-2	1-3	All		Grant	Auditing controls and internal auditing reports
9-3	1	All		Grant	Auditing controls and internal auditing reports
9-4	1-2	All		Grant	Auditing controls and internal auditing reports
9-5	1-2	All		Grant	Auditing controls and internal auditing reports
9-6	1	All		Grant	Auditing controls and internal auditing reports
9-7	1	All		Grant	Auditing controls and internal auditing reports
10-10	1	1		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
Documents 03341-99 and 03457-99					
10-12	1	1,2		Grant	Contractual information the release of which would cause harm
10-13	1	1		Grant	Contractual information the release of which would cause harm
10-16	1	1,2		Grant	Contractual information the release of which would cause harm
10-17	1	1		Grant	Contractual information the release of which would cause harm
10-20	1	1		Grant	Contractual information the release of which would cause harm
10-27	1	1		Grant	Contractual information the release of which would cause harm
10-31	1	1		Grant	Contractual information the release of which would cause harm
19	1	1,2,2a		Grant	Contractual information the release of which would cause harm
19A	1	1-5		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
19-1	1	1,3		Grant	Contractual information the release of which would cause harm
Documents 03341-99 and 03457-99					
19-3	1-24		A,B,C	Grant	Contractual information the release of which would cause harm
19-4	1-10		A,B,C	Grant	Contractual information the release of which would cause harm
40	1	1		Grant	Contractual information the release of which would cause harm
40	3	1		Grant	Contractual information the release of which would cause harm
40	4	1	A-L	Grant	Contractual information the release of which would cause harm
40	5,6	1,2		Grant	Contractual information the release of which would cause harm
40	7		A-L	Grant	Contractual information the release of which would cause harm
40	10	1-4		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-2	1-8		A-D	Grant	Contractual information the release of which would cause harm
40-2	9	1-3	A-D	Grant	Contractual information the release of which would cause harm
Documents 03341-99 and 03457-99					
40-2	10	1-3	A	Grant	Contractual information the release of which would cause harm
40-3	1		A-H	Grant	Contractual information the release of which would cause harm
40-3	2		A-H	Grant	Contractual information the release of which would cause harm
40-3A	1	1-3		Grant	Contractual information the release of which would cause harm
40-3/1	1	3	A-H	Grant	Contractual information the release of which would cause harm
40-3/1	3		A-H	Grant	Contractual information the release of which would cause harm
40-3/1-2	2-5		A-D	Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-3/1-2	6	1,1a		Grant	Contractual information the release of which would cause harm
40-3/1-2	7	All		Grant	Contractual information the release of which would cause harm
40-3/1-3/1	1	2-4,6-8		Grant	Contractual information the release of which would cause harm
Documents 03341-99 and 03457-99					
40-3/1-3/2	2	1-7		Grant	Contractual information the release of which would cause harm
40-3/1-3/2	3,4	1-9		Grant	Contractual information the release of which would cause harm
40-3/2	2		A-I	Grant	Contractual information the release of which would cause harm
40-3/2	3		A-N	Grant	Contractual information the release of which would cause harm
40-3/2	4		A-M	Grant	Contractual information the release of which would cause harm
40-3/2	5		A-L	Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-3/4	1		A	Grant	Contractual information the release of which would cause harm
40-3/5	1		A-B	Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-4	1-3	All		Grant	Contractual information the release of which would cause harm
40-4/1	1-5	All		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-4/2	1	All		Grant	Contractual information the release of which would cause harm
40-4/3	1	All		Grant	Contractual information the release of which would cause harm
40-5/1	1	1		Grant	Contractual information the release of which would cause harm
40-5/1	2	1	A,B	Grant	Contractual information the release of which would cause harm
40-5/1-1	1-2	All		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-5/1-2	1	All		Grant	Contractual information the release of which would cause harm
40-5/1-3	1-3	All		Grant	Contractual information the release of which would cause harm
40-5/1-4	1,3	All		Grant	Contractual information the release of which would cause harm
40-5/1-5	1-2	All		Grant	Contractual information the release of which would cause harm
40-5/1-6	1	All		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-5/1-6	2	1		Grant	Contractual information the release of which would cause harm
40-5/1-7	1	All		Grant	Contractual information the release of which would cause harm
40-5/1-7	2	1		Grant	Contractual information the release of which would cause harm
40-5/1-8	1	All		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-5/1-8/1	3		A-C	Grant	Contractual information the release of which would cause harm
40-5/1-8/1	6	1-3		Grant	Contractual information the release of which would cause harm
40-5/1-8/1	7	1-2		Grant	Contractual information the release of which would cause harm
40-5/1-8/1	8	1-4		Grant	Contractual information the release of which would cause harm
40-5/1-9	1	All		Grant	Contractual information the release of which would cause harm
40-5/1-10	1	All		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-5/1-11	1	All		Grant	Contractual information the release of which would cause harm
40-5/1-11	2	6	A-F	Grant	Contractual information the release of which would cause harm
40-5/1-11	3		A-C	Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-5/1-12	1	All		Grant	Contractual information the release of which would cause harm
40-5/1-14	1	All		Grant	Contractual information the release of which would cause harm
40-5/1-15	1-5	All		Grant	Contractual information the release of which would cause harm
40-5/1-15	6		A-C	Grant	Contractual information the release of which would cause harm
40-5/1-16	1	All		Grant	Contractual information the release of which would cause harm
40-5/1-17	1	All		Grant	Contractual information the release of which would cause harm
40-5/1-17	2	1		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-5/1-18	1	All		Grant	Contractual information the release of which would cause harm
40-5/1-18	3	1-6		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-5/1-18	4	1-10		Grant	Contractual information the release of which would cause harm
40-5/1-18	5	1-6		Grant	Contractual information the release of which would cause harm
40-5/1-18	6	1-3		Grant	Contractual information the release of which would cause harm
40-5/1-18/1	1	1-3		Grant	Contractual information the release of which would cause harm
40-5/1-18/1	2	1-5		Grant	Contractual information the release of which would cause harm
40-5/1-18/1	3	1 -7		Grant	Contractual information the release of which would cause harm
40-5/1-18/1	4	1-6		Grant	Contractual information the release of which would cause harm
40-5/1-18/1	5	1-7		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-5/1-18/1	6-7		A-O	Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-5/1-18/1	8		A-X	Grant	Contractual information the release of which would cause harm
40-5/1-18/1	9		A-E	Grant	Contractual information the release of which would cause harm
40-5/1-18/1	10	1-4		Grant	Contractual information the release of which would cause harm
40-5/1-18/1	11	1-6		Grant	Contractual information the release of which would cause harm
40-5/1-18/2	2	All		Grant	Contractual information the release of which would cause harm
40-5/1-19	1	All		Grant	Contractual information the release of which would cause harm
40-5/1-19	2	1-13		Grant	Contractual information the release of which would cause harm
40-5/2	1	1		Grant	Contractual information the release of which would cause harm
40-5/2	2	3,4		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
Documents 03342-99 and 03457-99					
40-5/2-1	1	1		Grant	Contractual information the release of which would cause harm
40-5/2-1	2	2,3		Grant	Contractual information the release of which would cause harm
40-5/3	1	2		Grant	Contractual information the release of which would cause harm
40-5/3-1	1	1		Grant	Contractual information the release of which would cause harm
40-5/4	1	1		Grant	Contractual information the release of which would cause harm
40-5/4	2	2,3		Grant	Contractual information the release of which would cause harm
40-5/4-1	1	1		Grant	Contractual information the release of which would cause harm
40-5/4-1	2	2,3		Grant	Contractual information the release of which would cause harm
40-5/5	1	1		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-5/5	2	2		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-6	1	1-3		Grant	Contractual information the release of which would cause harm
40-6	2	1-2	A	Grant	Contractual information the release of which would cause harm
40-6/2	1	1-7		Grant	Contractual information the release of which would cause harm
40-6/2	2-26	1-6		Grant	Contractual information the release of which would cause harm
40-6/2-1	1-3	1-6		Grant	Contractual information the release of which would cause harm
40-6/2-1/1	1	1-12		Grant	Contractual information the release of which would cause harm
40-6/2-1/1	2-3	1-3		Grant	Contractual information the release of which would cause harm
40-6/2-2	1-4	1-6		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-6/2-3	1-14	1-6		Grant	Contractual information the release of which would cause harm
40-6/2-4	1-2	1-6		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-6/2-4/1	1	1-9	A	Grant	Contractual information the release of which would cause harm
40-6/2-4/1	2	1-2		Grant	Contractual information the release of which would cause harm
40-6/2-4/1	3	1		Grant	Contractual information the release of which would cause harm
40-6/2-5	1-6	1-6		Grant	Contractual information the release of which would cause harm
40-6/2-6	1-6	1-6		Grant	Contractual information the release of which would cause harm
40-6/2-7	1-7	1-6		Grant	Contractual information the release of which would cause harm
40-6/3	1-20	1-6		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-6/3-1	1-6	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-2	1-6	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-3	1-4	1-6		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-990					
40-6/3-4	1-6	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-5	1-2	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-6	1-3	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-7	1-4	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-8	1-9	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-9	1-6	1-6		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-6/3-10	1-3	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-11	1-4	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-12	1-3	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-13	1-11	1-6		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-6/3-14	1-4	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-15	1-3	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-16	1-3	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-17	1	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-18	1-4	1-6		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-6/3-19	1-2	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-19/1	1	1-7		Grant	Contractual information the release of which would cause harm
40-6/3-20	1-3	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-20/1	1	1-9		Grant	Contractual information the release of which would cause harm
40-6/3-20/1	2	1-2		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-6/3-21	1	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-21/1	1	1-11		Grant	Contractual information the release of which would cause harm
40-6/3-22	1-3	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-22/1	1	1-7		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-6/3-23	1-2	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-24	1-3	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-25	1-6	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-26	1-2	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-27	1-3	1-6		Grant	Contractual information the release of which would cause harm
40-6/3-28	1-5	1-6		Grant	Contractual information the release of which would cause harm
Documents 03342-99 and 03457-99					
40-6/4	1-10	1	A	Grant	Contractual information the release of which would cause harm
40-6/4-1	1	1-13		Grant	Contractual information the release of which would cause harm
40-6/4-2	1	1-13		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
40-7/1	1	1-3		Grant	Competitive data release of which would cause harm
40-7/2	1	1-3		Grant	Competitive data release of which would cause harm
Documents 03343-99 and 03457-99					
41	1	1		Grant	Contractual information the release of which would cause harm
41	2	1-10		Grant	Contractual information the release of which would cause harm
41	3	1-21		Grant	Auditing controls and internal auditing reports
41	4	1-13		Grant	Auditing controls and internal auditing reports
41	5	1-11	A-I	Grant	Auditing controls and internal auditing reports
Documents 03343-99 and 03457-99					
41	6	1-2		Grant	Contractual information the release of which would cause harm
41-1	1	1	A-C	Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
41-1	2	1-4		Grant	Contractual information the release of which would cause harm
41-1/1	1	1	A-C	Grant	Contractual information the release of which would cause harm
41-3/1	1	1,5		Grant	Contractual information the release of which would cause harm
41-4	13	1		Grant	Contractual information the release of which would cause harm
41-4/1	1	1-11		Grant	Contractual information the release of which would cause harm
41-4/1	2	1-2		Grant	Contractual information the release of which would cause harm
41-4/2	1	1-2		Grant	Contractual information the release of which would cause harm
41-4/2	2	1-10		Grant	Contractual information the release of which would cause harm
Documents 03343-99 and 03457-99					
41-4/2	3	1-12		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
41-4/2	4	1-3		Grant	Contractual information the release of which would cause harm
41-5	1	All		Grant	Contractual information the release of which would cause harm
45	1	1,5,6		Grant	Contractual information the release of which would cause harm
45-1	1	1		Grant	Contractual information the release of which would cause harm
45-1	2	1-5		Grant	Contractual information the release of which would cause harm
45-2	1-6	1-2		Grant	Contractual information the release of which would cause harm
45-2	7	1-10		Grant	Contractual information the release of which would cause harm
45-3	1	1-7	A-O	Grant	Contractual information the release of which would cause harm
45-3	2	1-6	A-S	Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
Documents 03343-99 and 03457-99					
45-3/1	1	1	A-X	Grant	Contractual information the release of which would cause harm
45-3/2	1	1-2	A-O	Grant	Contractual information the release of which would cause harm
45-3/2	2	1	A-O	Grant	Contractual information the release of which would cause harm
45-3/3	1	1	A-L	Grant	Contractual information the release of which would cause harm
45-3/3	2	1	A-O	Grant	Contractual information the release of which would cause harm
45-3/4	1	1-17		Grant	Contractual information the release of which would cause harm
45-3/4-1	1	1-3		Grant	Contractual information the release of which would cause harm
45-3/4-2	1	1		Grant	Contractual information the release of which would cause harm
45-3/7	1		A-C	Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
45-3/7	2	1	A-C	Grant	Contractual information the release of which would cause harm
Documents 03343-99 and 03457-99					
45-3/7	3	1-6	A-C	Grant	Contractual information the release of which would cause harm
45-3/7	4	1-7		Grant	Contractual information the release of which would cause harm
45-3/7	5	1-4		Grant	Contractual information the release of which would cause harm
45-3/7	6	1-3		Grant	Contractual information the release of which would cause harm
45-3/8	1	1-6		Grant	Contractual information the release of which would cause harm
45-3/8	2	1	A-E	Grant	Contractual information the release of which would cause harm
45-3/8	3	1	A-C	Grant	Contractual information the release of which would cause harm
45-3/8	4	1-6	A-C	Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
45-3/8	5	1-7		Grant	Contractual information the release of which would cause harm
45-3/8	6	1-4		Grant	Contractual information the release of which would cause harm
Documents 03343-99 and 03457-99					
45-3/8	7	1-2		Grant	Contractual information the release of which would cause harm
45-3/8-1	1	1-6		Grant	Competitive data release of which would cause harm
45-3/8-1	2	1-4		Grant	Competitive data release of which would cause harm
45-3/8-1	3	1-7		Grant	Competitive data release of which would cause harm
45-3/9	1	1-6,8		Grant	Competitive data release of which would cause harm
45-3/9	2	1		Grant	Contractual information the release of which would cause harm
45-3/9	4-5		A-C	Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
45-3/9	6	1-6	A-C	Grant	Contractual information the release of which would cause harm
45-3/9	7	1	A-C	Grant	Contractual information the release of which would cause harm
45-3/9	8	1-4		Grant	Contractual information the release of which would cause harm
Documents 03343-99 and 03457-99					
45-3/9	9	1-4		Grant	Contractual information the release of which would cause harm
45-4	1-3	All		Grant	Contractual information the release of which would cause harm
45-4/2	1	1-3		Grant	Contractual information the release of which would cause harm
45-5	1	1		Grant	Contractual information the release of which would cause harm
45-5/1	1	All		Grant	Contractual information the release of which would cause harm
45-6	1-2	1-2		Grant	Contractual information the release of which would cause harm

Staff Work Paper Number	Page Number(s)	Lines	Column	Disposition	Sensitive Information Reported
45-6A	1	1-2		Grant	Contractual information the release of which would cause harm
45-6/1	1-8	1-6		Grant	Contractual information the release of which would cause harm
45-6/1	9	1-3		Grant	Contractual information the release of which would cause harm
45-6/1-1	1-8	1-6		Grant	Contractual information the release of which would cause harm
Documents 03343-99 and 03457-99					
45-6/1-1	9	1-3		Grant	Contractual information the release of which would cause harm
45-6/1-1/1	1-2	1-6		Grant	Contractual information the release of which would cause harm

FPL requested that the proprietary confidential business information listed above be returned at the expiration of the 18-month confidential period. This request is denied since this information is part of staff's work papers made during the course of staff's audit of FPL. These work papers record work performed, record staff observations during field audits, and form the basis of subsequent staff audits. As such, the work papers must be retained in accordance with the regular retention of staff audit work papers. Should FPL desire continued confidential treatment of the work papers, it must request an extension before the expiration of the 18 month period granted herein.

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DOCKET NO. 990348-EI
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It is therefore

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that the Request for Confidential Classification of certain material provided in the "West Palm Beach and Stuart Joint Trenching" Audit, Audit No. 98-194-4-2, identified in Document No. 03457-99 (x-ref Document Nos. 03341-99, 03342-99, and 03343-99), filed by Florida Power and Light Company is hereby granted pursuant to Rule 25-22.006, Florida Administrative Code, and Section 366.093, Florida Statutes, for the reasons set forth in the body of this order. It is further


ORDERED that pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, any confidential classification granted to the documents specified herein shall expire 18 months from the date of issuance of this order in the absence of a renewed request for confidentiality pursuant to Section 366.093. It is further

ORDERED that this order shall be the only notification by the Commission to Florida Power and Light Company concerning the expiration of the confidentiality time period. It is further

ORDERED that Florida Power and Light Company's request for the documents to be returned is denied. It is further

ORDERED that this docket shall be closed upon issuance of this order.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 20th day of September, 1999.



JULIA L. JOHNSON
Commissioner and Prehearing Officer

(S E A L)

MAH

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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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.

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Date 9, 21, 99
Number of Originals 31 Copies Per Original 19
Requested By [Signature]

Item Presented
Agenda For (Date) _____ Order No. 99-1850 In Docket No. 990348
Notice of _____ For (Date) _____ In Docket No. _____
Other _____

Special Handling Instructions _____

Distribution/Mailing		Distribution/Mailing	
Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>19</u>	<u>Commission Offices</u>	<u>--</u>	_____
<u>(1)</u>	<u>Docket Mailing List - Mailed</u>	_____	_____
	<u>Docket Mailing List - Faxed</u>	_____	_____

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification
Job Number 852 Verified By [Signature]
Date and Time Completed 9/21 Job Checked For Correctness and Quality (Initial) _____

Mail Room Verification
Date Mailed 9/21 Verified By [Signature]

State of Florida

4:15



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

RECORDED AND REPORTING

SEP 20 PM 1:57

RECEIVED-PSC

DATE: September 20, 1999
 TO: BLANCA BAYO, DIRECTOR OF RECORDS AND REPORTING
 FROM: MARY ANN HELTON, DIVISION OF APPEALS *MAH*
 RE: DOCKET NO. 990348-EI

1850-CFO

FILE NAMES: 990348.ORD

Attached is an order to be issued as soon as possible.

MAH

Attachment

cc: Wanda Terrell

MUST GO TODAY

*1 marked.
RAR -*