

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application by Atlantic Utilities, a Florida Division of Southern Union Company d/b/a South Florida Natural Gas for authority to issue and sell securities pursuant to Section 366.04, F.S. and Chapter 25-8, F.A.C.; and request for approval to borrow funds for short-term financing purposes during 12-month period ending July 31, 2002.

DOCKET NO. 011000-GU  
ORDER NO. PSC-01-2307-CFO-GU  
ISSUED: November 21, 2001

ORDER GRANTING CONFIDENTIAL CLASSIFICATION FOR INFORMATION  
SUPPLIED BY SOUTH FLORIDA NATURAL GAS (SFNG) SECURITY APPLICATION  
(DOCUMENT NO. 09290-01)

On July 30, 2001, Southern Union Company (Southern Union) d/b/a South Florida Natural Gas (SFNG) filed a request for confidential classification of Document No. 09290-01, which was filed with SFNG's application for authority to issue and sell securities.

SFNG noted that public disclosure of Document No. 09290-01 would cause harm to the Company. In effect, the information submitted contains forward-looking financial projections and budget information. The public disclosure of this information would allow competitors to have access to information about the financial resources and business strategies of SFNG. Accordingly, SFNG asked for confidential classification of this information pursuant to Section 366.093(3)(e), Florida Statutes, which allows confidential treatment to information relating to competitive interests.

Additionally, SFNG states that the information contained in Document No. 09290-01 is intended to be and has been treated by Southern Union as private and has not been disclosed unless disclosed pursuant to a statutory provision, order of a court or administrative body, or private agreement that provides that the information will not be released to the public.

DOCUMENT NUMBER-DATE

14844 NOV 21 01

FPSC-COMMISSION CLERK

ORDER NO. PSC-01-2307-CFO-GU  
DOCKET NO. 011000-GU  
PAGE 2

Based on the information provided, SFNG's request establishes that the information provided qualifies as proprietary confidential business information within the meaning of Section 366.093, Florida Statutes. Accordingly, SFNG's request for confidential classification of Document No. 09290-01 is granted.

Section 366.093(4), Florida Statutes, provides that any finding by the Commission that records contain proprietary confidential business information shall be effective for a period not to exceed 18 months, unless the Commission finds good cause to specify a longer period. SFNG did not request an extension to this period of classification. As such, the information identified in Document No. 09290-01 shall be granted confidential classification for a period of eighteen months from the date of issuance of this Order.

In consideration of the foregoing, it is


ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Southern Union Company d/b/a South Florida Natural Gas Company's Request for Confidential Classification is granted as set forth in the body of this Order. It is further

ORDERED that the information described within the body of this Order and contained in Document No. 09290-01 is granted confidential classification for a period of eighteen months from the date of this Order. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

ORDER NO. PSC-01-2307-CFO-GU  
DOCKET NO. 011000-GU  
PAGE 3

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 21st day of November, 2001.

  
\_\_\_\_\_  
J. TERRY DEASON  
Commissioner and Prehearing Officer

( S E A L )

KNE

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

ORDER NO. PSC-01-2307-CFO-GU  
DOCKET NO. 011000-GU  
PAGE 4

the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, 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.