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Public Service Commission

August 28, 2002

Gary V. Perko
Hopping, Green, & Sams
P.O. Box 6526
Tallahassee, FL 32314

Re: Docket 020003-GU, Request for Confidential Classification of Audit Workpapers for Period Ending December 31, 2001, Audit No. 02-032-4-2

Dear Mr. Perko:

Thank you for the August 2, 2002, revision to the City Gas filing in this case. We have reviewed this filing and find one deficiency still remains:

- 2) Working Paper 41-4/2, Page 1, Lines 1-11
- Working Paper 41-4/2, Page 2, Lines 1-11
- Working Paper 41-4/2, Page 3, Lines 1-11
- Working Paper 41-4/2, Page 4, Lines 1-11
- Working Paper 41-4/2, Page 5, Lines 1-11

The utility has requested confidentiality of customer names and rates associated with the Competitive Rate Adjustment (CRA) program. These customers and their associated CRA rates are reported by NUI/City Gas to the Commission once a year on a non confidential basis. Since the material is filed without confidential protection, it is considered public record; thus, the identities of customers using the CRA rates and rates charged to these customers do not qualify for confidential protection. Other elements of the rates charged to these customers such as an "ECCR factor" or a "PGA true-up" are set as a matter of standing Commission policy and are also considered public record.

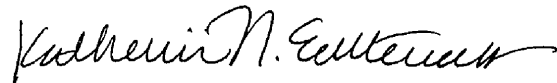
Section 366.093(3), Florida Statutes, provides that information cannot be granted a confidential classification if it has been disclosed to the public.

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You may correct the NUI/City Gas request by filing a second revision with the Commission Clerk within two weeks from the date of this letter. If you do not revise your filing, I will recommend that protection for Working Paper 41-4/2, consisting of 5 pages, be denied.

If you have any further questions regarding this matter, please do not hesitate to contact me at (850) 413-6218 or Bob Freeman, Government Analyst, at (850) 413-6485.

Sincerely,



Katherine N. Echternacht
Office of the General Counsel

KE/

cc: Division of the Commission Clerk and Administrative Services
Division of Auditing and Safety (Freeman)