

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 020003-GU  
ORDER NO. PSC-02-1210-CFO-GU  
ISSUED: September 4, 2002

ORDER GRANTING FLORIDA PUBLIC UTILITIES COMPANY'S REQUEST FOR  
CONFIDENTIAL CLASSIFICATION OF AUDIT WORKPAPERS FOR PORTIONS OF  
ITS PURCHASED GAS ADJUSTMENT AUDIT FOR YEAR ENDED DECEMBER 31,  
2001 (DOCUMENT NOS. 06210-02, 06328-02, AND 07068-02)

On June 14, 2002, pursuant to Rules 25-22.006(3)(a)2, and (4), Florida Administrative Code, and Section 366.093, Florida Statutes, Florida Public Utilities Company (FPUC) requested confidential classification for portions of its Purchased Gas Adjustment (PGA) audit for the year ended December 31, 2001, identified as Audit Control No. 02-032-4-3. On July 9, 2002, FPUC modified its request for confidential classification. The modification only corrected technical deficiencies and did not change the utility's original request. The information for which FPUC requests confidential treatment is filed with the Commission as Document Nos. 06210-02, 06328-02, and 07068-02.

According to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the utility has the burden of demonstrating that materials qualify for confidential classification. The utility must meet this burden by demonstrating that the information is proprietary confidential business information, the disclosure of which will cause the utility, the provider of the information, or the ratepayers harm.

FPUC requests that the following workpapers be granted confidential classification:

WORK PAPER PAGE(S)	LINE(S)	COLUMN(S)	TYPE OF INFORMATION
41-4/2-1, pg. 1	1-22	D	Customer Specific Information Reporting Name and Address

DOCUMENT NUMBER-DATE

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WORK PAPER PAGE(S)	LINE(S)	COLUMN(S)	TYPE OF INFORMATION
41-4/2-2, pg. 1	23-45	D	Customer Specific Information Reporting Name and Address
41-4/2-3, pg. 1	1-23	B, E	Customer Specific Information Reporting Name and Address
41-4/2-4, pg. 1	1-20	B, E	Customer Specific Information Reporting Name and Address
41-4/3, pg. 1	1-24	C, E	Customer Specific Information Reporting Name and Address
41-4/3, pg. 2	1-29	C, E	Customer Specific Information Reporting Name and Address
41-4/3, pg. 3	1-29	C, E	Customer Specific Information Reporting Name and Address
41-4/3, pg. 4	1-28	C, E	Customer Specific Information Reporting Name and Address
41-4/3, pg. 5	1-27	C, E	Customer Specific Information Reporting Name and Address
41-4/3, pg. 6	1-3	C, E	Customer Specific Information Reporting Name and Address
41-4/3-1, pgs. 1-11	1-3		Customer Specific Information Reporting Name and Address

FPUC affirms that the material for which confidential classification is sought is treated by FPUC as proprietary and confidential. Additionally, FPUC states that the workpapers

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represent information identifying customers, customer locations, and/or customer addresses. Thus, FPUC asserts that disclosure of customer names and addresses or their locations would impair and harm the competitive business of FPUC and the customers of FPUC.

Pursuant to Section 366.093(3)(e), Florida Statutes, this information constitutes proprietary, confidential business information, the disclosure of which would cause harm to FPUC's competitive interests. In Order No. PSC-00-1569-CFO-EG, issued August 31, 2000, in Docket No. 000002-EG, we held that customer information is proprietary, confidential business information and, if released, would cause harm. Accordingly, FPUC's information appears to be proprietary, confidential business pursuant to Section 366.093(3)(e), Florida Statutes.

#### CONCLUSION

Upon review it appears that the information discussed above is proprietary, confidential business information and should be given confidential treatment, pursuant to Section 366.093(3)(e), Florida Statutes. Since FPUC has not specified the length of time these documents should be protected within this filing, confidential classification shall be granted for a period of 18 months from the date of the issuance of this Order pursuant to Section 366.093(4), Florida Statutes.

Based on the foregoing, it is

ORDERED by Commissioner Michael A. Palecki, as Prehearing Officer, that the request of Florida Public Utilities Company for confidential classification of Document Nos. 06210-02, 06328-02, and 07068-02 is granted. It is further

ORDERED that pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, any confidentiality granted to the documents specified herein shall expire eighteen (18) months from the date of issuance 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.

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By ORDER of Commissioner Michael A. Palecki, as Prehearing Officer, this 4th day of September, 2002.



MICHAEL A. PALECKI  
Commissioner and Prehearing Officer

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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 the Commission Clerk and Administrative Services, in the form

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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.