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ORIGINAL

GENERAL COUNSEL
RICHARD D. MELSON
(850) 413-6248

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Public Service Commission

April 19, 2006

F. Marshall Deterding
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301

RE: Docket 050862-WU – Application for staff-assisted rate case in Marion county by County-Wide Utility Co., Inc.

Dear Mr. Deterding:

Thank you for your letter of April 13, 2006, and for pointing out that the appropriate affirmation required by Rule 25-22.006(4)(d), Florida Administrative Code, is present in your March 10, 2006 request for confidential classification.

We have reviewed your proposal that salary information be protected because it comes from a company that is not a parent, subsidiary or sister corporation. It is staff's opinion that such a proposal does not comport with Sections 367.156(1) and 367.156(3)(f), Florida Statutes. These statutes impact affiliated companies and are not limited to parent, subsidiary or sister corporations. Therefore, staff cannot support your proposal.

We also note that the Commission auditor's salary test was to examine such records necessary to ensure that the utility's ratepayers do not subsidize non-utility activities. Since the utility employees also worked for affiliated companies, salary verification was reasonably performed as part of the investigation into the appropriate level of utility income.

Please note that Rule 25-22.006(4), Florida Administrative Code, requires that the utility clearly justify by page and line what information should be granted confidential classification. We may not guess as to what information should be classified as confidential. If you would like the Commission to consider a confidential classification, you must clearly indicate and justify which material to consider by page and line. The utility has not yet met this requirement.

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The utility may have an additional 10 days from the date of this letter to file a revised request for confidential classification. The utility may elect to withdraw all or any part of its request. If no response is received, a recommendation will be presented to the Prehearing Officer for a ruling on the utility's request based upon the materials filed. If you feel a meeting between the utility and staff on this matter would help, please let me know.

Sincerely,



Rosanne Gervasi
Senior Attorney

RG/pz

Cc: Division of Economic Regulation (Rendell, Edwards)
Bureau of Audition (Vandiver, Freeman)
Division of the Commission Clerk & Administrative Services