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Public Service Commission

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

DATE: October 9, 2007

OFFICE OF THE GENERAL COUNSEL
DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT
XX DIVISION OF ECONOMIC REGULATION
DIVISION OF REGULATORY COMPLIANCE AND
CONSUMER ASSISTANCE

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 09213-07

DESCRIPTION: FPUC (Horton) - (CONFIDENTIAL) Prehearing statement filed 10/8/07; specifically, FPUC's positions for Marianna on Issues 5 and 6.

SOURCE: Florida Public Utilities Company

DOCKET NO(S): 070001-EI

The above material was received with a request for confidential classification. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of the Commission Clerk and Administrative Services, Bureau of Records and Hearing Services, and to the Office of General Counsel.

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Please read each of the following and check if applicable.

The document(s) is (are), in fact, what the utility asserts it (them) to be.

The utility has provided enough details to perform a reasoned analysis of its request.

The material has been received incident to an inquiry.

The material is confidential business information because it includes:

(a) Trade secrets;

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

(c) Security measures, systems, or procedures;

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company to contract for services on favorable terms;

(e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;

(f) Tax returns or tax-related information;

(g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.

The material appears not to be confidential in nature.

The material is a periodic or recurring filing and each filing contains confidential information.

The information can be calculated from public information

Response prepared by: *Peter Luster*

Date: *10-15-2007*

cc: GCL FLL
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 ECR RCA