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October 6, 2008

BY HAND DELIVERY

Ms. Ann Cole, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

RECEIVED-FPSC
08 OCT - 6 PM 2:45
COMMISSION CLERK

Re: Docket No. 080001-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Public Utilities Company are the following documents:

- 1. An original and 10 copies of Florida Public Utilities Company's Preliminary List of Issues and Positions; and
2. An original and 10 copies of Florida Public Utilities Company's Request for Confidential Treatment.
09422-08

Thank you for your assistance in this matter.

Sincerely,

Norman H. Horton, Jr. (Signature)

Norman H. Horton, Jr.

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Enclosures
cc: Mr. Curtis D. Young
Parties of Record

DOCUMENT NUMBER - DATE
09-100 22460
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost)
Recovery Clause and Generating)
Performance Incentive Factor)
_____)

Docket No. 080001-EI
Filed: October 6, 2008

**FLORIDA PUBLIC UTILITIES COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Florida Public Utilities Company ("FPUC" or "Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, herewith submits this Request for Confidential Classification of information contained in FPUC's Preliminary List of Issues and Positions. In support of this Request, FPUC would state:

1. On September 15, 2008, FPUC filed its testimony and exhibits in support of the purchased power cost recovery factor to be applied to customer bills in 2009. Accompanying that filing was a request for confidential treatment of portions of the schedules on the basis that the identified information consisted of contractual data and information relating to competitive interests and thus exempt from disclosure pursuant to Section 366.093(3)(d) and (e), Florida Statutes.

2. The Preliminary List of Issues and Positions contains some of the numbers for which confidential treatment has been requested. Specifically, FPUC's position for Marianna on Issue 5 the net fuel and purchased power recovery amount has previously been identified as confidential and proprietary and a request for confidential classification is pending.

3. FPUC would incorporate herein the request filed September 27 and would add that disclosure of the projected fuel and purchased power recovery amount would disclose terms of the negotiated purchased power agreement which are considered and treated as

confidential. FPUC purchases power from Gulf Power Co. pursuant to a contract which was competitively bid and the costs to FPUC under the Agreement reflect the results of negotiations between the parties. Disclosure of those as well as numbers from which those costs can be calculated would harm both companies and their customers and impair their ability to negotiate favorable terms. The numbers are considered to be and are treated as confidential proprietary business information pursuant to Section 366.093(3)(d) and (e).

Wherefore, FPUC requests the Commission to enter its order granting confidential treatment to the specified numbers.

DATED this 6th day of October, 2008.

Respectfully submitted,
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NORMAN H. HORTON, JR., ESQ.

Attorneys for Florida Public Utilities Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been served by U. S. Mail this 6th day of October, 2008 upon the following:

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ANN COLE
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(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: October 6, 2008

TO: Norman H. Horton, Messer Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

CONFIDENTIAL

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in **Docket Number 080001** or, if filed in an undocketed matter, concerning certain information contained in FPUC's Preliminary List of Issues and Positions, and filed on behalf of Florida Public Utilities. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER-DATE
09423 OCT-6 08
FPSC-COMMISSION CLERK

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