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090001-EI

Public Service Commission

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

DATE: 12/15/09

TO: X DIVISION OF ECONOMIC REGULATION  
       DIVISION OF REGULATORY ANALYSIS  
       DIVISION OF SERVICE, SAFETY & CONSUMER ASSISTANCE  
       OFFICE OF AUDITING AND PERFORMANCE ANALYSIS  
       OFFICE OF THE GENERAL COUNSEL

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 04846-08

DESCRIPTION: FPUC (Horton) - (CONFIDENTIAL) Agreement for generation services with GPC, specifically capacity rates on Page 11.

SOURCE: Florida Public Utilities Company

DOCKET NO(s): 090001-EI

The above material was received with a request for continued confidential treatment. 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 Office of Commission Clerk and to the Office of General Counsel.

- COM \_\_\_\_\_
- APA \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- RAD \_\_\_\_\_
- SSC \_\_\_\_\_
- ADM \_\_\_\_\_
- OPC \_\_\_\_\_
- CLK \_\_\_\_\_

*K. Peña*

RECEIVED-FPSC  
09 DEC 23 PM 1:50  
UNIVERSAL PUBLIC SERVICE  
COMMISSION  
DIVISION OF  
ECONOMIC REGULATION  
COMMISSION  
CLERK

FPSC-COMMISSIONER  
12190 DEC 23 8  
11:47 AM  
DATE

**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 public utility or its affiliates to contract for services on favorable terms;
  - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.;
  - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.
- 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.

Response prepared by: 

Date: 12-22-09

- cc:  CLK       RCP  
 ECR       SGA  
 GCL       SSC