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October 20, 2011

BY HAND DELIVERY

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

claim of confidentiality
 notice of intent
 request for confidentiality
 notify OPC

For DN 07709-11, which is an official record, you must be authorized to view via DMS-CLK

Re: Docket No. 110133-GU: **Petition for approval of acquisition adjustment and recovery of regulatory assets, and request for consolidation of regulatory filings and records of Florida Public Utilities Company and Florida Division of Chesapeake Utilities Corporation.**

Dear Ms. Cole:

Enclosed for filing in the above-referenced Docket, please find the original and seven (7) copies of Florida Public Utilities Company's Request for Confidential Classification of certain information contained in its Responses to Staff's Third Data Request. In accordance with the Rule 25-22.006(4), Florida Administrative Code, a copy of the referenced documents with the confidential information highlighted is included with this filing in a separate envelope marked Confidential. The Company has also included two redacted copies of the referenced document.

Thank you for your assistance with this filing. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

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DOCUMENT NUMBER-DATE

07708 OCT 20 =

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of acquisition)
adjustment and recovery of regulatory)
assets, and request for consolidation of)
regulatory filings and records of Florida)
Public Utilities Company and Florida)
Division of Chesapeake Utilities)
Corporation.)
_____)

Docket No. 110133-GU

Filed: October 20, 2011

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

Florida Public Utilities Company ("FPU" or "Company") by and through its undersigned counsel, pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(4), Florida Administrative Code, hereby submits its Request for Confidential Classification for information contained in its Responses to Staff's Third Data Request to the Company in the referenced Docket. In support thereof, FPU hereby states that:

1. Certain specified information included in its Responses to Staff's Third Data Request the includes financial information and corporate strategic information that has not otherwise been publicly disclosed. If disclosed, particularly out of context, this information could both harm the Company's ability to continue to obtain financing on favorable terms and impair the Company's ability to contract for goods and services on favorable terms, which would ultimately have detrimental impacts on the Company's ratepayers, as well as the Company's business operations.
2. The information for which FPU seeks confidential classification is information that the Company treats as confidential, and that meets the definition of "proprietary confidential business information" as set forth in Section 366.093(3), Florida Statutes, which provides:

(3) Proprietary confidential business information means information, regardless of form or characteristics, which is owned or controlled by the

person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. Proprietary confidential business information includes, but is not limited to:

- (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 goods or services on favorable terms.
- (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.
- (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

3. Specifically, FPU seeks confidential classification of the following (lines/pages) of Exhibit 3.3 to its Responses:

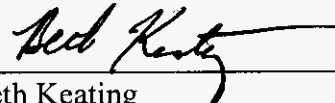
<i>Page</i>	<i>Column</i>	<i>Line</i>
Page 1 of 1 and Page 2 of 2	(1) (each page)	Numeric amounts in all lines of Sections 1 and II (Net Operating Income through Year-End Rate of Return)
Page 1 of 1 and Page 2 of 2	(2) (each page)	Numeric amounts in all lines of Sections 1 and II (Net Operating Income through Year-End Rate of Return)
Page 1 of 1 and Page 2 of 2	(3) (each page)	Numeric amounts in all lines of Sections 1 and II (Net Operating Income through Year-End Rate of Return)
Page 1 of 1 and Page 2 of 2	(4) (each page)	Numeric amounts in all lines of Sections 1 and II (Net Operating Income through Year-End Rate of Return)
Page 1 of 1 and Page 2 of 2	(5) (each page)	Numeric amounts in all lines of Sections 1 and II (Net Operating Income through Year-End Rate of Return)

The specified sections of Exhibit 3.3 reveal internal corporate information, the disclosure of which, out of context, could have unintended, detrimental impacts on the Company's financing and operations that could, ultimately, have an adverse impact on the Company's ratepayers. The Company has included a separate envelope labeled "Confidential" which contains a highlighted copy of Exhibit 3.3. Also, included with this filing are two redacted copies of the information.

4. FPU asks that confidential classification be granted for a period of at least 18 months. Should the Commission no longer find that it needs to retain the information, FPU respectfully requests that the confidential information be returned to the Company.

WHEREFORE, FPU respectfully requests that the highlighted information contained in its Responses to Staff's Third Data Request (Exhibit 3.3) be classified as "proprietary confidential business information," and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 20th day of October, 2011.




Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

CERTIFICATE OF SERVICE

I HEREBY ATTEST that a true and correct copy of the foregoing has been served upon the following by U.S. Mail this 20th Day of October, 2011:

Patricia Christensen Office of the Public Counsel c/o The Florida Legislature 111 West Madison St., Rm. 812 Tallahassee, FL 32399-1400	Keino Young, Esquire Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850
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