



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

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

RECEIVED-FPSC  
13 APR 10 PM 4:27  
COMMISSION  
CLERK

**DATE:** April 9, 2013  
**TO:** Division of Accounting and Finance, Office of Primary Responsibility  
**FROM:** OFFICE OF COMMISSION CLERK  
**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO(s): 120311-GU DOCUMENT NO(s): 01788-13

DESCRIPTION: FPUC (Keating) - (CONFIDENTIAL) Information contained in Attachment OPC-1 (closing statement) and OPC-2 (exhibits to asset purchase agreement) to response to OPC's areas of concern, which was originally submitted under notice of intent on 3/19/12. [x-ref. DN 01381-13]

SOURCE: Florida Public Utilities Company

The above confidential material was filed along with a request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- 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.

This response was prepared by Frank Trueblood on April 10, 2013, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

DOCUMENT NUMBER-DATE  
**01861 APR 10 2013**

FPSC-COMMISSION CLERK

State of Florida



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**DATE:** April 10, 2013  
**TO:** Caroline Klancke, Senior Attorney, Office of the General Counsel  
**FROM:** Frank Trueblood, Public Utility Analyst III, Division of Accounting & Finance  
**RE:** Florida Public Utilities Company (FPUC) Petition for Acquisition Adjustment, Docket No. 120311-GU, Request for Confidential Classification of Documents, Document No. 01788-13 Cross Reference No. 01381-13

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On March 19, 2013, Florida Public Utilities Company (FPUC) submitted its Responses to the Office of Public Counsel's Areas of Concern, Attachment OPC-1 (Closing Statement) and Attachment OPC-2 (Exhibits to Asset Purchase Agreement), along with a Notice of Intent to Request Specified Confidential Classification. On April 9, 2013, FPUC submitted a Request for Confidential Classification of certain information in the attachments to its responses to OPC's "Areas of Concern", which were originally submitted under its Notice of Intent on March 19, 2013.

FPUC requests confidential classification of the highlighted rates and terms, which list specific customer account and bank account information and identification numbers that FPUC treats as proprietary and highly confidential. FPUC states that the release of the information referenced in OPC-1 and OPC-2 to the public would harm FPUC's business operations and ratepayers by impairing the Company's competitive business interests and disclosing sensitive customer account information, that both FPUC and its customers treat as confidential.

According to FPUC, the requested information is proprietary and confidential business information that FPUC seeks to keep confidential pursuant to Section 366.093, Florida Statutes (F.S.) and Rule 25-22.006(4), Florida Administrative Code. Based upon my review of the above referenced documents, the information meets the requirements for confidential classification and should be exempt from disclosure under Section 119.07, F.S.

cc: Delores Reecy, Division of Accounting & Finance ✓  
Marguerite McLean, Office of Commission Clerk