



# 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-**

**DATE:** April 15, 2013

**TO:** Division of Economics, Office of Primary Responsibility

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
 DOCKET NO: 120313-GU DOCUMENT NO: 01818-13  
 DESCRIPTION: FPUC (Keating) - (CONFIDENTIAL) Information contained in responses to third data request from staff.  
 SOURCE: Florida Public Utilities Company

RECEIVED-FPSC  
 13 APR 15 AM 9:53  
 COMMISSION CLERK

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 Laura King on 4/15/13, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

DOCUMENT NUMBER DATE

01950 APR 15 2013

FPSC-COMMISSION CLERK

State of Florida



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

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**DATE:** April 15, 2013  
**TO:** Keino Young, Senior Attorney, Office of the General Counsel  
**FROM:** Laura V. King, Economic Analyst, Division of Economics *LJK*  
**RE:** Docket No. 120313-GU - Petition for approval of transportation service agreement with Florida Public Utilities Company, by Peninsula Pipeline Company, Inc.

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On April 9, 2013, Florida Public Utilities Company (FPUC) filed a Request for Confidential Classification (Request) for information contained in its responses to Staff's Third Data Request, DN 01818-13. The Request states that FPUC treats this information as proprietary confidential business information consistent with the definition of that term in Section 366.093(3), Florida Statutes and the information, if disclosed, would harm FPUC's business operations and ratepayers by impairing the Company's ability to effectively negotiate for goods and services. It would also impair the Company's competitive interests by disclosing sensitive system information and strategic market development information, which could ultimately be used to unfair advantage by a competitor or entities with whom the Company contracts for services.

After reviewing the above referenced document, staff agrees that disclosure of the redacted information could harm the Company; therefore, staff recommends the request be granted.