

State of Florida



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

DATE: August 4, 2009

TO: Office of the Commission Clerk (McLean, Cole)

FROM: Division of Regulatory Compliance (Freeman, Mailhot) *DM*

RE: Docket No. 080597-WS, Failure to request a confidential classification for certain information obtained during the "Southlake Utilities, Inc. File and Suspend Rate Case Audit for the Year Ended December 31, 2008", Audit Control No. 09-021-2-1, Document Numbered 03278-09

On March 25, 2009, and April 2, 2009, at the audit exit conferences for the Southlake Utilities, Inc. rate case, the Utility requested that certain audit materials be held in a temporary confidential status pursuant to rule 25-22.006(3)(a)2., Florida Administrative Code.

On April 13, 2009, staff filed these materials (Document No. 03278-09) with the Office of the Commission Clerk.

On June 16, 2009, after the failure by the utility to file a request for confidential classification, the audit staff contacted the Utility and notified them that unless a request for a confidential classification was filed within 21 days from June 22, 2009, pursuant to the provisions of Rule 25-22.006, FAC, then the opportunity to request a confidential classification for the material obtained during the audit would be considered waived.

It is now August 4, 2009, and when the Utility counsel was contacted by telephone today, he indicated confidentiality for this material is being waived.

Please declassify Document Numbered 03278-09 and return it to the Division of Regulatory Compliance.

Attachment: August 4, 2009 letter to James I. Ade

CC: Office of General Counsel (Brown)
Tampa District Office (Rohrbacher, Stevens)

- COM _____
- ECR _____
- GCL _____
- OPC _____
- RCP _____
- SSC _____
- SGA _____
- ADM _____
- CLK K. Pena