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Tallahassee
REPLY TO:

FPSC-RECORDS / REPORTING

Mr. Steve Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0850

HAND DELIVERY

Re: FPSC Docket No. 920199-WS

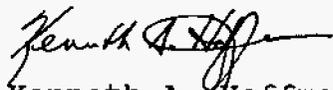
Dear Mr. Tribble:

Enclosed herewith for filing in the above-referenced docket are the original and fifteen copies of Southern States' Second Request for Confidential Classification and Motion for Protective Order.

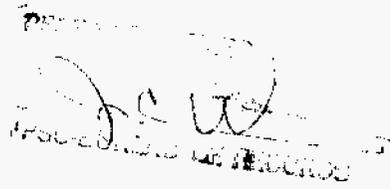
Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,


Kenneth A. Hoffman

KAH/rl
Enclosures
cc: Brian P. Armstrong, Esq.



DOCUMENT NUMBER-DATE
11011 SEP 22 1992
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Southern)
States Utilities, Inc. and Deltona)
Utilities, Inc. for Increased)
Water and Wastewater Rates in)
Citrus, Nassau, Seminole, Osceola,)
Duval, Putnam, Charlotte, Lee,)
Lake, Orange, Marion, Volusia,)
Martin, Clay, Brevard, Highlands,)
Collier, Pasco, Hernando, and)
Washington Counties.)

Docket No. 920199-WS
Filed: September 22, 1992

**SOUTHERN STATES' SECOND REQUEST
FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR PROTECTIVE ORDER**

TO: HONORABLE BETTY EASLEY
Commissioner and Prehearing Officer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-0850

SOUTHERN STATES UTILITIES, INC. and DELTONA UTILITIES, INC. (hereinafter referred to collectively as "Southern States"), by and through its undersigned counsel, and pursuant to Rule 25-22.006, Florida Administrative Code, requests confidential classification and a protective order with respect to three cost separation audits internally generated by Minnesota Power and Light Company ("Minnesota Power"). In support of this request, Southern States states as follows:

1. On September 1, 1992, Southern States produced to Public Counsel and the Commission Staff copies of three cost separation audits internally generated by Minnesota Power which are part of the reports of Minnesota Power's internal auditors and a part of such Company's internal auditing control measures. On the same date, Southern States filed its Second Motion for Temporary

DOCUMENT NUMBER-DATE

697 11011 SEP 22 1992

FPSC-RECORDS/REPORTING

Protective Order for Confidential Information and Notice of Intent to Request Confidential Classification with respect to the three cost separation audits internally generated by Minnesota Power. Southern States' request for temporary protection of these documents is still pending.

2. Section 367.156(3)(b), Florida Statutes, defines "proprietary confidential business information" to include "internal auditing controls and reports of internal auditors."

3. The three cost separation audits internally generated by Minnesota Power constitute "proprietary confidential business information" under 367.156(3)(b), Florida Statutes. See also in re: [Petition of Citizens of the State of Florida to Investigate Southern Bell Telephone and Telegraph Company's Cost Allocation Procedures](#), Docket No. 890190-TL, Order No. 25297, issued November 5, 1991. Further, public disclosure of these documents would have a chilling effect on the internal audit process and could adversely impact the business practices of Minnesota Power and/or Southern States. See Section 367.156(3), Florida Statutes.

4. The material for which confidential classification is sought is intended to be and is treated by Southern States as private and would not otherwise be disclosed except pursuant to an agreement to maintain its confidential status.

5. Since the documents covered by this request are considered by Southern States to be proprietary and confidential in their entirety, Southern States has not attached highlighted and redacted copies of such documents. Instead, Southern States has

marked all of these documents as "Confidential" and has appended one set of the documents, marked for identification as Confidential Composite Exhibit "A", to this request in an envelope marked "Confidential".

6. Upon conclusion of this proceeding, Southern States requests that the confidential documents described above be returned to Southern States.

WHEREFORE, Southern States requests that the Commission enter an order declaring that the information and documents described herein constitute proprietary and confidential business information under Section 367.156(3), Florida Statutes, and that any use of such confidential information at the final hearing be in accordance with the procedures set forth in Order No. PSC-92-0638-PCO-WS (Order Establishing Procedure).

Respectfully submitted,


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Attorneys for Applicants Southern
States Utilities, Inc. and
Deltona Utilities, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Southern States' Second Request for Confidential Classification and Motion for Protective Order was furnished by hand delivery(*) and/or U. S. Mail this 22nd day of September, 1992, to the following:

Harold McLean, Esq.*
Office of Public Counsel
111 West Madison Street
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Matthew Feil, Esq.*
Catherine Bedell, Esq.*
Florida Public Service Commission
Division of Legal Services
101 East Gaines Street
Room 226
Tallahassee, Florida 32399

Mr. Harry C. Jones, P.E. President
Cypress and Oak Villages Association
91 Cypress Boulevard West
Homosassa, FL 32646

By: 
KENNETH A. HOEFMAN, ESQ.