

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Purchased gas adjustment
(PGA) true-up.

DOCKET NO. 980003-GU
ORDER NO. PSC-98-0563-CFO-GU
ISSUED: April 22, 1998

ORDER GRANTING CONFIDENTIAL CLASSIFICATION TO PORTIONS OF TAMPA
ELECTRIC COMPANY D/B/A/ PEOPLES GAS SYSTEM'S NOVEMBER, 1997,
PURCHASED GAS ADJUSTMENT FILINGS (DOCUMENT NO. 13060-97)

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Tampa Electric Company d/b/a Peoples Gas System (Peoples) requests confidential classification for portions of its Purchased Gas Adjustment (PGA) filings for November, 1997. Peoples claims that the material for which confidential classification is requested is intended to be and is treated by Peoples and its affiliates as private and has not been disclosed. Peoples also requests that this information be granted confidential classification for a period of 18 months from the date of the issuance of this Order pursuant to Section 366.093(4), Florida Statutes.

INFORMATION FOR WHICH CONFIDENTIAL CLASSIFICATION IS SOUGHT

Peoples requests confidential classification of information contained in the portions of its November, 1997, PGA filings as illustrated in the following table:

SCHEDULE	LINES	COLUMNS
A-3	11, 15-22	L
A-3	11, 15-22	E-K
A-4	1-13, 19	G-H
A-4	1-13	A-B
A-4	1-13, 19	C-F
Open Access Report	9, 27-39, 42-43	C and E
Invoices for November	1, 4	C and E
Invoices for November	1, 3	C and E

DOCUMENT NUMBER-DATE

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SCHEDULE	LINES	COLUMNS
Invoices for November	1, 2-4, 6, 18	C and E
Invoices for November	1, 2-5, 6, 7-9, 10-11, 24	C and E
Accruals Schedule	1, 9	C
Accruals Schedule	1-2	C
Accruals Schedule	1	C
Accruals Schedule	1, 8-9, 16	B and D
Accruals Schedule	1-2, 15	B and D
Accruals Schedule	1, 15	B and D
Accruals Schedule	1, 9	A
Accruals Schedule	1-2	A
Accruals Schedule	1	A
October Accruals Reconciliation	1-14	D
October Accruals Reconciliation	1-14, 93-95	C and E
Prior Month Adjustments P. 2/10	1, 3, 5-6, 21-23,	Supplier
P. 3/10	1, 3, 5-6, 21	Supplier
P. 4/10 AND 5/10	1, 6	Supplier
P. 6/10 AND 7/10	1	Supplier
P. 4/10	2-4	SUPPLIER FACTS: Fonts, logos, etc.
P. 5/10	2-5, 7-9	SUPPLIER FACTS: Fonts, logos, etc.

SCHEDULE	LINES	COLUMNS
P. 6/10	1, 6	SUPPLIER FACTS: Fonts, logos, etc.
P. 7/10	1, 7	SUPPLIER FACTS: Fonts, logos, etc.
Cashouts/ Bookouts Trading Price	6-7	TRADING PRICE
Cashouts/ Bookouts Amounts Due	6-8	AMOUNTS DUE

Peoples asserts that the items in the table above are entitled to confidential classification because they are contractual information "the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes. Peoples asserts that disclosure of the rates at which Peoples purchased gas from its suppliers during this month would give other competing suppliers information with which to potentially or actually control the pricing of gas either by all quoting a particular price equal to or exceeding the rates for which Peoples seeks confidential classification, or by adhering to a rate offered by a particular supplier. Peoples also maintains that information from which the rates could be calculated should also be granted confidential classification. Peoples claims that should this information be disclosed, suppliers would be less likely to make any price concessions which they might have previously made. Peoples fears suppliers could simply refuse to sell at a price less than these rates for which Peoples seeks confidential classification. The end result, according to Peoples, is reasonably likely to be increased gas prices, and, therefore, an increased cost of gas which Peoples must recover from its ratepayers. Peoples also requests that the information which would tend to reveal the identity of its suppliers and customers is entitled to confidential classification because the disclosure of its suppliers would provide competitors with a list of prospective suppliers. Peoples claims that a third party could use this

information to interject itself as a middleman between Peoples and the supplier.

Peoples also seeks confidential classification for the information illustrated in the following table:

SCHEDULE	LINES	COLUMNS
A-3	11-22	B
OPEN ACCESS REPORT	9-11, 27-45	A
NOVEMBER INVOICES P. 7/11	10-11	RATE
NOVEMBER INVOICES P. 7/11	10-11, 24	THERMS/AMOUNTS
OCTOBER ACC. RECON. PP. 1-6	1, 3, 5, 7, 9, 11, 13	A (SUPPLIER)
OCTOBER INVOICES P. 1/7	ENTIRE SHEET	ENTIRE SHEET
PRIOR MONTH ADJUSTMENTS INVOICES PP. 1, 8-10	ENTIRE SHEET	ENTIRE SHEET
PRIOR MONTH ADJ. P. 2/10	18	RATE
P. 3/10	18	RATE
P. 5/10	10-11	RATE
P. 2/10	18, 21-22	THERMS/AMOUNTS
P. 3/10	18, 21	THERMS/AMOUNTS
P. 5/10	10-11. 23-25	THERMS/AMOUNTS
CASHOUT/BOOKOUTS PP. 4/6, 5/6, 6/6	1	TRADING PARTNER
CASHOUT/BOOKOUTS P. 4/6, 5/6, 6/6	2-4	TRADING PARTNER FACTS: Fonts, logos, etc.

Peoples asserts that the above information contains supplier names or information, and rate information or information from which rates can be derived. Peoples claims that publishing names of suppliers or information from which supplier names can be deduced would provide Peoples's competitors with a list of prospective suppliers, or permit a third party to interject itself as a middleman between Peoples and the supplier. In either case, Peoples claims that the end result is reasonably likely to be increased gas prices, and therefore an increased cost of gas which Peoples must recover from its ratepayers. Peoples maintains that this information is entitled to confidential classification because disclosure "would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes. Peoples maintains that publishing the rates or information from which rates may be determined would give other competing suppliers information with which to potentially or actually control the pricing of gas either by all quoting a particular price (equal to or exceeding the prices shown in these lines) or by adhering to a rate offered by a particular supplier. Peoples asserts that a supplier which might have been willing to sell gas at a lower rate would be less likely to make any price concessions. The end result, according to Peoples, is reasonably likely to be increased gas prices, and therefore an increased cost of gas which Peoples must recover from its ratepayers.

Upon review, the information described in the tables above appears to be contractual or bid information "the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." Section 366.093(3), Florida Statutes. This information relates to the prices paid for gas from suppliers and trading partners. Disclosure of this information would deprive Peoples of the ability to gain trade concessions from the entities with which it trades imbalances and from which it buys gas. The likely result would be a higher cost of gas and higher rates Peoples would have to charge its ratepayers. This information, therefore, shall be granted confidential classification for a period of 18 months from the date of the issuance of this Order as provided for in Section 366.093(4), Florida Statutes.

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It is therefore

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the information described in the body of this Order and contained in Document No. 13060-97, is granted confidential classification. It is further

ORDERED that the information described in the body of this Order and contained in Document No. 13060-97 is granted confidential classification for a period of 18 months from the date of the issuance of this Order. It is further

ORDERED that this Order shall be the only notice by the Commission to the parties of the declassification date of this information.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 22nd Day of April, 1998.



SUSAN F. CLARK
Commissioner and Prehearing Officer

(S E A L)

GAJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

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Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.