

State of Florida



Public Service Commission

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

RECORDS AND
REPORTING

99 DEC 28 PM 3: 59

RECEIVED-FPSC

DATE: December 22, 1999

TO: Mary Ann Helton, APP; Blanco Bayo, RAR; David Smith, APP

FROM: Jerry Hallenstein, BRR; Terry Kramer, BRR *col*

RE: Florida Power & Light's First Amended (Filed 12-17-99) Request for Confidential Treatment of Selected Text as it Appears in the Bureau of Regulatory Review's Final Report of *FP&L's Contractor Selection Process for the Transportation of Natural Gas*. (Redacted version published, Sept. 1999.) *991246*

15418-99

Bureau staff has completed a line-by-line review of FP&L's first amended request for confidential handling of the designated portions of staff's report.

Staff has agreed with FPL that the lines (or partial lines) of text that are identified in *Column C* in the attachment do fall within the guidelines of *Florida Statute 366.093(3)(d) and (e)* as cited by FP&L in *Column E*. Therefore, staff now moves for approval of FPL's First Amended request for confidential treatment of the line-items cited in the attached response table.

FPSC, CLK - CORRESPONDENCE
✓ Administrative_Parties_Consumer
DOCUMENT NO. 16598-00
DISTRIBUTION: _____

Bureau of Regulatory Review's Response

to Florida Power & Light's First Amended Request for Confidential Classification of Certain Information
 Provided During BRR's Review of Their Contract Process Which Selected Florida Gas Transmission as
 Transporter of Gas to the Fort Myers Plant
 December 21, 1999

A	B	C	D	E
DESCRIPTION	F I N A L REPORT PAGE N ^o	LINES OF TEXT THAT FPL WANTS REDACTED (AS AMENDED 12-17-99)	LINE ITEMS OF FINAL AGREEMENT (TO REMAIN REDACTED)	FLORIDA STATUTE 366.093(3) SUBSECTION: (CITED BY FPL)
2.3 FPL's Goals and Objectives for this Transportation Contract	10	Lines 24,25,26,27, 28,29,30,31,32,33	As Requested	(d) (e)
3.2.1 Volume Required- ANR and 3.2.2 Pricing Structure	20	Lines 24,25,26,27,28, 38-Cols B,C, 39 cols B, C	As Requested	(d) (e)
3.2.2 Pricing Structure ANR(Price)	21	Lines 23,24,27, 28,29,30,32,33,34	As Requested	(d) (e)
3.3 Qualitative Analysis	22	Lines 8,9,10,14.5, 15 Cols A, B, C 15.5 Cols B 16 Col B, C 17 Cols B, C 18 Cols A 19 Cols A 21 Cols A, B, C	As Requested	(d) (e)
3.3 Qualitative Analysis and 3.3.1 Florida Gas Transmission Performance and Reliability Factors and 3.3.2 American Natural Resources Performance and Reliability Factors	23	Lines 4,5,6,11,15,16,	As Requested	(d) (e)
3.3.2 American Natural Resources Performance and Reliability Factors	24	Lines 1,2,3,4,5,6,7,8,9,12,16, 17,18,19,20,22,23,27,28,29, 30	As Requested	(d) (e)

A DESCRIPTION	B FINAL REPORT PAGE N ^o	C LINES OF TEXT THAT FPL WANTS REDACTED (AS AMENDED 12-17-99)	D LINE ITEMS OF FINAL AGREEMENT (TO REMAIN REDACTED)	E FLORIDA STATUTE 366.093(3) SUBSECTION: (CITED BY FPL)
3.4 FPL's Summary of Stated Objectives	25	Lines 4,5,6,7,8,9,10,11,12,13, 17,18,19,20,21,22,23,24,25,26 ,27,28,29,30,31,32,33,34,35	As Requested	(d) (e)
3.4 (Con't) FPL's Summary of Stated Objectives	26	All of Page 26	As Requested	(d) (e)
3.4 (Con't) FPL's Summary of Stated Objectives	27	All of Page 27	As Requested	(d) (e)
3.4 (Con't) FPL's Summary of Stated Objectives	28	Lines 1,2,3,4,5,6.	As Requested	(d) (e)



Public Service Commission

State of Florida
-M-E-M-O-R-A-N-D-U-M-

DATE: 12/07/99

TO: DIVISION OF APPEALS
 DIVISION OF AUDITING AND FINANCIAL ANALYSIS
DIVISION OF ELECTRIC AND GAS
DIVISION OF LEGAL SERVICES
DIVISION OF POLICY ANALYSIS & INTERGOVERNMENTAL LIAISON
DIVISION OF TELECOMMUNICATIONS
DIVISION OF WATER AND WASTEWATER

*RAR
(Newman)*

FROM: DIVISION OF RECORDS AND REPORTING (Newman) *Bureau of Regulatory Review (Kramer)*

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO: ~~2418-99~~

DESCRIPTION: Certain Information provided in connection with staff's review of selection of Florida Gas Transmission as a natural gas transporter.

SOURCE: Florida Power & Light Company

DOCKET NO: ~~201266-El~~

The above material was received with a request for confidentiality (attached). Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of Records and Reporting and to the Division of Appeals.

Please read each of the following and check if applicable.

- 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.

Response prepared by: *Jerry Hallante*

Date: 12/21/99

- cc: ___ AFA ___ LEG
 ___ APP ___ PAI
 ___ CMU ___ RAR
 ___ EAG ___ WAW



Public Service Commission

RECEIVED-FPSC
OCT 21 PM 3:26

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

RECORDS AND REPORTING

DATE: October 20, 1999

TO: Mary Ann Helton, APP; Blanco Bayo, RAR; David Smith, APP

FROM: Jerry Hallenstein, BRR; Terry Kramer, BRR

RE: Florida Power & Light's Request for Confidential Treatment of Selected Text as it Appears in the Bureau of Regulatory Review's Final Report of *FP&L's Contractor Selection Process for the Transportation of Natural Gas*. (Redacted Version, Sept. 1999)

991264

The Bureau has reviewed FP&L's line-by-line request for confidential handling of the designated portions of its report. We believe that much of the requested text (see Attachment) addresses statements of fact that are known or disclosed or expressed as our opinion. Indeed, many of the facts are stated or shown throughout this report in other places, which were left unredacted.

Staff believes that the lines (or partial lines) of text that are identified in *Column D* in the attachment do not fall within the guidelines of *Florida Statute 366.093(3)(d) and (e)* as cited by FP&L in *Column E*. Other than the listed line citations in *Column C*, FP&L has not provided specific reasons why they chose the individual words and phrases and sentences that they claim will divulge facts to the reader which are harmful to FP&L's ability to conduct future contract negotiations.

Staff is willing to acquiesce to FP&L's redaction requests to conceal the actual dollars and quantity figures, and in some cases evaluation criteria and references to specific actions of one or more of the bidders, but staff challenges those items that it cited in the attachment. The nature of some of FP&L's text choices reflect a "paintbrush" approach rather than a "scalpel" approach to the redaction process. Staff seeks to limit the redactions to only that text for which *F.S. 366.093(3)(d) & (e)* is applicable.

FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
DOCUMENT NO. 16598-00
DISTRIBUTION: _____

**Bureau of Regulatory Review's Response to Florida Power & Light's Request for Confidentiality of Workpapers Re: BRR's Review of FPL's Contract Process with Florida Gas Transmission
October 20, 1999**

A	B	C	D	E
DESCRIPTION	FINAL REPORT PAGE N ^o	LINES OF TEXT THAT FPL WANTS REDACTED	LINES OF REDACTED TEXT THAT BRR WANTS UN-REDACTED	FLORIDA STATUTE 366.093(3) SUBSECTION: (CITED BY FPL)
1.4 Overall Opinion	4	Lines ¹ 12,13,14,31,32	ALL	(d) ² (e) ³
1.4 Overall Opinion	5	Line 1	ALL	(d) (e)
2.3 FPL's Goals and Objectives for this Transportation Contract	10	Lines 22,23,24,25,26,27, 28,29,30,31,32,33	Lines 22 & 23	(d) (e)
3.2.1 Volume Required-ANR and 3.2.2 Pricing Structure	20	Lines 23,24,25,26,27,28, 29,30.5,31,32,35,36, 37Cols B,C	Lines 23,24,25,26,27,28, 29,30.5,31,32,35,36, 37Cols B,C All EXCEPT actual amounts and pricing figures on line 24 & in Exhibit 5.	(d) (e)
3.2.2 Pricing Structure ANR(Price)	21	Lines 23,24,25,26,27, 28,29,30,31,32, 33,34	Lines 23,24,25,26,27, 28,29,30,31,.32,33,34 All EXCEPT actual pricing figures on line 27, 28, & 29	(d) (e)

¹ "Lines" does not necessarily mean each word of text on that line. Some lines may contain only a word or two.

² (d) "Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms."

³ (e) "Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information."

A DESCRIPTION	B FINAL REPORT PAGE N ^o	C LINES OF TEXT THAT FPL WANTS REDACTED	D LINES OF REDACTED TEXT THAT BRR WANTS UN-REDACTED	E FLORIDA STATUTE 366.093(3) SUBSECTION: (CITED BY FPL)
3.3 Qualitative Analysis	22	Lines 6,7,8,9,10,11, 14,5, 15 Cols A,B,C; 16 Col B; 17 Cols A,B,C; 18 Cols B,C; 19 Cols A,B,C; 20 Cols A,B,C; 21 Cols B, C; 22 Cols A,B,C	Lines 6, 7, 11, 14.5, 15 Cols A,B,C; 16 Col B; 17 Cols A,B,C; 18 Cols B,C; 19 Cols A,B,C; 20 Cols A,B,C; 21 Cols B, C; 22 Cols A,B,C All EXCEPT actual pricing and quantity figures in Exhibit 6	(d) (e)
3.3 Qualitative Analysis and 3.3.1 Florida Gas Transmission Performance and Reliability Factors and 3.3.2 American Natural Resources Performance and Reliability Factors	23	Lines 4,5,6,11,15,16,17, 18,19,21,22,23,24, 26,27,29,30	Lines 17,18,19,21,22,23,24, 29,30	(d) (e)
3.3.2 American Natural Resources Performance and Reliability Factors	24	Lines 1,2,3,4,5,6,7,8,9,11, 12,14,15,16,17,18,19,20,22,23,27,28,29, 30	Lines 14 & 15 only	(d) (e)
3.4 FPL's Summary of Stated Objectives	25	All of Page 25	Lines 1, 2, 13,14, &15 only - Plus the Heading line at top of page.	(d) (e)
	26	All of Page 26		(d) (e)
	27	All of Page 27		(d) (e)
	28	Lines 1,2,3,4,5,6.		(d) (e)

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 991266-EI Date Docketed: 08/31/1999 Title: Request for confidential classification in connection with review of the FGT Contract by Florida Power & Light Company.
 Company: Florida Power & Light Company

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: ADM (AFA) APP CAF CMU EAG GCL LEG RAR PAI WAW
 ("(") indicates OPR) _____ X X _____ _____ X _____ _____ _____

Section 2 - OPR Completes and returns to RAR in 10 workdays. Time Schedule

Program/Module A17

Staff Assignments

<u>OPR Staff</u>	<u>J Hallenstein, T Kramer</u>
_____	_____
_____	_____
_____	_____
_____	_____
<u>Staff Counsel</u>	<u>M Helton</u>
_____	_____
<u>OCRs (EAG)</u>	<u>W Makin</u>
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**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level**

0

	Due Dates	
	Previous	Current
1. Staff Recommendation to Appeals	NONE	11/01/1999
2. Order on Confidentiality	NONE	12/01/1999
3. Close Docket or Revise CASR	NONE	12/15/1999
4. _____		
5. _____		
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Recommended assignments for hearing and/or deciding this case:
 Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____
 Date filed with RAR: 09/14/1999
 Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	GR	DS	CL	JN	JC		
X							

- Prehearing Officer

Commissioners					ADM
GR	DS	CL	JN	JC	
				X	

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____

Date: 09/14/1999

C

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 991266-EI Date Docketed: 08/31/1999 Title: Request for confidential classification in connection with review of the FGT Contract by Florida Power & Light Company.
 Company: Florida Power & Light Company

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: _____ ADM (AFA) APP CAF CMU EAG GCL LEG RAR PAI WAW
 ("(") indicates OPR) _____ X X _____ _____ X _____ _____ _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module A17

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level**

<u>Staff Assignments</u>	
<u>OPR Staff</u>	<u>J Hallenstein, T Kramer</u>
<u>Staff Counsel</u>	<u>M Helton</u>
<u>OCRs (EAG)</u>	<u>W Makin</u>
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	<u>Due Dates</u>	
	<u>Previous</u>	<u>Current</u>
1	NONE	12/17/1999
1. Amended Petition from FPL	SAME	12/30/1999
2. Staff Recommendation to Appeals	SAME	01/31/2000
3. Order on Confidentiality	SAME	02/14/2000
4. Close Docket or Revise CASR		
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Recommended assignments for hearing and/or deciding this case:
 Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____
 Date filed with RAR: 12/02/1999
 Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	GR	DS	CL	JN	JC		
X							

- Prehearing Officer

Commissioners					ADM
GR	DS	CL	JN	JC	
				X	

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [Signature]
 Date: 12/02/1999

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

September 3, 1999

R. Wade Litchfield, Esquire
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

Re: Docket No. 991266-EI

Dear Mr. Litchfield:

This will acknowledge receipt of a request for confidential classification in connection with Review of the FGT Contract by Florida Power & Light Company, which was filed in this office on August 31, 1999 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6078 or FAX (850) 413-6079.

Division of Records and Reporting
Florida Public Service Commission

tlg



Public Service Commission

State of Florida
-M-E-M-O-R-A-N-D-U-M-

DATE: 12/07/99

TO: DIVISION OF APPEALS
 X DIVISION OF AUDITING AND FINANCIAL ANALYSIS
 DIVISION OF ELECTRIC AND GAS
 DIVISION OF LEGAL SERVICES
 DIVISION OF POLICY ANALYSIS & INTERGOVERNMENTAL LIAISON
 DIVISION OF TELECOMMUNICATIONS
 DIVISION OF WATER AND WASTEWATER

FROM: DIVISION OF RECORDS AND REPORTING (Newman)

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO: 15418-99

DESCRIPTION: Certain Information provided in connection with staff's review of selection of Florida Gas Transmission as a natural gas transporter.

SOURCE: Florida Power & Light Company

DOCKET NO: 991266-EI

The above material was received with a request for confidentiality (attached). Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of Records and Reporting and to the Division of Appeals.

Please read each of the following and check if applicable.

- 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.



Public Service Commission

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

DATE: January 12, 2000
 TO: BLANCA BAYO, DIRECTOR OF RECORDS AND REPORTING
 FROM: MARY ANNE HELTON, DIVISION OF APPEALS
 RE: DOCKET NO. 991266-EI

RECEIVED-FPSC
 00 JAN 12 AM 10:58
 RECORDS AND REPORTING
 MAH
 20113-ef

FILE NAME: 991266.ORD

Attached is an order to be issued as soon as possible.

MAH/MRD
 Attachment
 cc: Wanda Terrell

pg 4

MUST GO TODAY

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