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MESSER CAPARELLO & SELF, P.A.

Attorneys At Law
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November 15, 2007

BY HAND DELIVERY

Ms. Ann Cole, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

RECEIVED-FPSC
07 NOV 16 AM 10:18
COMMISSION
CLERK

Re: Docket No. 070304-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Public Utilities Company is an original and fifteen copies of Florida Public Utilities Company's Revised Request for Protective Order and Temporary Protective Order in the above referenced docket.

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

CTR _____
Thank you for your assistance with this filing.

ECR _____

GCL 2 _____

OPC _____

RCA _____

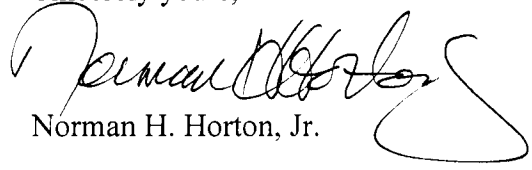
SCR _____

SGA _____

SEC _____ NHH/amb
Enclosure

OTH _____
cc: Ms. Cheryl M. Martin
1 copy records Parties of Record

Sincerely yours,



Norman H. Horton, Jr.

DOCUMENT NUMBER-DATE
10328 NOV 16 09
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase by Florida) Docket No. 070304-EI
Public Utilities Company) Date Filed: November 15, 2007
_____)

**REVISED REQUEST FOR PROTECTIVE ORDER AND
TEMPORARY PROTECTIVE ORDER**

COMES NOW Florida Public Utilities Company ("FPUC"), pursuant to section 366.093, Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, and submits this Revised Request for Protective Order and states as follows:

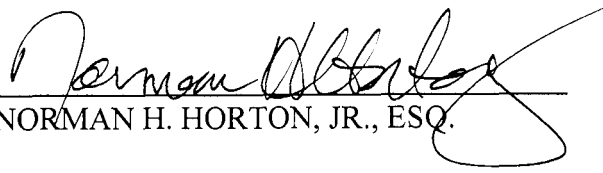
1. On November 8, 2007, FPUC filed its responses to the Citizens ("OPC") Second Request for Production of Documents and a Request for Protective Order and Temporary Order. Included in the Production of Documents Request was Request No. 28 which sought a copy of all documents used to analyze the salary levels of its employees undertaken in 2006 and 2007. FPUC objected to providing copies of this document as it is proprietary and confidential but the Company did offer to make the document available for review.

2. On November 15, 2007, the Company made a copy of the requested document available to OPC and would incorporate the reasons for the Protective Order herein and would add that the document includes an analysis of salary levels for employees of non-regulated and non-electric utilities as well as electric utility employees and for other businesses as well. To the extent the survey includes non-electric and non-company employees that information is proprietary and confidential and not subject to disclosure under Section 366.093, Florida Statutes.

3. With this Request, FPUC is providing a copy to OPC and a redacted version of the document to Commission Staff.

Respectfully submitted,

MESSER, CAPARELLO & SELF, P. A.
Post Office Box 15579
Tallahassee, FL 32317-5579
(850) 222-0720



NORMAN H. HORTON, JR., ESQ.

Attorneys for Florida Public Utilities Company

**THE ENTIRE RESPONSE TO POD
REQUEST NO. 28 IS CONFIDENTIAL**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been served by Hand Delivery this 16th day of November, 2007 upon the following:

Katherine Fleming, Esq.
Martha Brown, Esq.
Office of General Counsel
Florida Public Service Commission
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Tallahassee, FL 32399-0850
keflemin@psc.state.fl.us
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Patricia A. Christensen, Esq.
Office of the Public Counsel
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400
CHRISTENSEN.PATTY@leg.state.fl.us


NORMAN H. HORTON, JR.

STATE OF FLORIDA

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
MATTHEW M. CARTER II
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

CONFIDENTIAL

Public Service Commission

ACKNOWLEDGEMENT

DATE: November 17, 2007

TO: N. Horton/Messer Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: **Acknowledgement of Receipt of Confidential Filing**

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 070304-EI or, if filed in an undocketed matter, concerning responses to OPC's 2nd request for PODs, No. 28, and filed on behalf of Florida Public Utilities. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE
10329 NOV 16 06
FPSC - COMMISSION CLERK

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