

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

REDACTED

In re: Fuel and Purchased Power Cost )  
Recovery Clause and Generating )  
Performance Incentive Factor )  
\_\_\_\_\_ )

Docket No. 070001-EI  
Filed: September 5, 2007

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**FLORIDA PUBLIC UTILITIES COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

COMES NOW, Florida Public Utilities Company ("FPUC" or "Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, and submits this Request for Confidential Classification of information contained in Exhibits attached to the testimony of Mehrdad Khojasteh filed in this docket. In support of this Request, FPUC would state:

1. Florida Public Utilities Company purchases power from Gulf Power Company ("Gulf") and Jacksonville Electric Authority ("JEA") for distribution to its customers in the Northwest ("Marianna") and Northeast ("Fernandina Beach") Divisions respectively. Each of these agreements were the result of a competitive process which resulted in the Agreements which are in effect in the Northeast Division and to be effective in the Northwest Division as of January 1, 2008.

2. The exhibits filed in this docket consisting of various schedules required by the Commission, provide the data supporting the calculations for the purchased power cost recovery factor to be applied to customer bills in 2008. Included in the exhibits are the prices for the purchased power and information from which these can be calculated. The Company considers and treats this data to be proprietary, confidential business information as defined in Section 366.093, Florida Statutes. Additionally, one of the confidential numbers is contained in the

CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL 1 \_\_\_\_\_  
OPC \_\_\_\_\_  
RCA \_\_\_\_\_  
SCR \_\_\_\_\_  
SGA \_\_\_\_\_  
SEC \_\_\_\_\_  
OTH 1 conf.  
Records

prefiled testimony of Mehrdad Khojasteh. The specific information for which confidential treatment is sought is shown on Attachment "A" hereto.

3. The information for which confidential treatment is sought consists of negotiated rates to be paid by FPUC for power purchased from Gulf pursuant to the terms and conditions of the Agreement commencing January 1, 2008, between the parties. In addition to the specific rates, confidential treatment is also sought for portions of the exhibits which, if disclosed, would enable others to calculate the negotiated rates.

4. Disclosure of the negotiated rates, either directly or indirectly, would cause harm to the Company, its customers and vendor by impairing the ability of the Company to negotiate with other suppliers in the future on favorable terms. The pricing reflected in the Agreement was negotiated between the parties and has been maintained within the control of the companies and has not been publicly disclosed. Section 366.093(3), Florida Statutes, protects from public disclosure proprietary, confidential information, regardless of form, which is intended to be and is treated by the company as private. Subsections (d) and (e) specifically include contractual data and information relating to competitive interests as proprietary, confidential information subject to exemption from Section 119.07(1), Florida Statutes.

The data which has been identified as confidential in the exhibits and testimony is information within the terms of subsections (d) and (e). The information relates to costs of purchased power and in total numbers and cents/kWh and information which could be used to calculate this information. Both the Company and Gulf Power consider and treat the information as proprietary, confidential business information and the negotiated rates and data enabling the

calculation of such rates is exempt from public disclosure pursuant to Section 366.093(3)(d) and (e), Florida Statutes.


5. In Docket No. 070108-EI, which was a petition by FPUC for approval of the Purchased Power Agreement with Gulf, the Company filed a copy of the Agreement with a request for confidential treatment of the negotiated prices and Schedule E-10 from which these prices could be calculated if disclosed. Although an order has not been entered, a Staff Recommendation was filed recommending that confidential treatment for the information would be appropriate under Section 366.093(3)(d) and (e), Florida Statutes. This request involves the same information with the addition of some additional schedules which were not submitted with the prior petition.

6. Accompanying this request as Attachment "B" are redacted copies of the identified documents. Under separate cover, FPUC is providing a copy of the unedited documents with the confidential information highlighted pursuant to the requirements of the Commission.

7. For the reasons cited, FPUC requests that the Commission determine that the information identified on Exhibit "A" be considered proprietary, confidential business information as defined in Section 366.093(3) (d) and (e), Florida Statutes and exempt from public disclosure.

DATED this 5<sup>th</sup> day of September, 2007.

Respectfully submitted,  
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(850) 222-0720

  
NORMAN H. HORTON, JR., ESQ.

Attorneys for Florida Public Utilities Company

EXHIBIT "A"

<u>Identification</u>	<u>Page</u>	<u>Lines</u>	<u>Columns</u>
Direct Testimony of Mehrdad Khojasteh	4	29	
Exhibit MK-1; (Schedule E1)	1 of 14	6	a and c
		10	a and c
		10a	a
		12	a and c
		13	a and c
		20	a and c
		24	a and c
		25	a
		26	a and c
		27	a and c
		30	a and c
		32	c
		33	c
Exhibit MK-1, (Schedule E1)	2 of 14	41 - 47	13
		41 - 46	16
Exhibit MK-1 (Schedule E2)	4 of 14	3	a - m
		3a	a - m
		5	a - m
		6	a - m
		7	a - m
		7b	a - m
		9	a - m
		12	a - m
Exhibit MK-1 (Schedule E-7)	5 of 14	all	8 - 10
Exhibit MK-1 (Schedule E-10)	6 of 14	all but total	all

1 collected or refunded during the January 2008 - December 2008.

2 A. We have determined that at the end of December 2007 based on six  
3 months actual and six months estimated and inclusive of the  
4 midcourse adjusted rates that will be effective on October 1, 2007,  
5 we will have under-recovered \$3,856 in purchased power costs in our  
6 Marianna (Northwest division). Based on estimated sales for the  
7 period January 2008 - December 2008, it will be necessary to add  
8 .00109¢ per KWH to collect this under-recovery.

9 In Fernandina Beach (Northeast division) we will have under-  
10 recovered \$5,040 in purchased power costs. This amount will be  
11 collected at .00147¢ per KWH during the January 2008 - December  
12 2008 period (excludes GSLD1 customers). Page 3 and 10 of Composite  
13 Prehearing Identification Number MK-1 provides a detail of the  
14 calculation of the true-up amounts.

15 Q. What are the final remaining true-up amounts for the period January  
16 2006 - December 2006 for both divisions?

17 A. In Marianna (Northwest division) the final remaining true-up amount  
18 was an over-recovery of \$74,131. The final remaining true-up amount  
19 for Fernandina Beach (Northeast division) was an over-recovery of  
20 \$272,928.

21 Q. What are the estimated true-up amounts for the period of January  
22 2007 - December 2007?

23 A. In Marianna (Northwest division), there is an estimated under-  
24 recovery of \$77,987. Fernandina Beach (Northeast division) has an  
25 estimated under-recovery of \$277,968.

26 Q. What will the total fuel adjustment factor, excluding demand cost  
27 recovery, be for both divisions for the period?

28 A. In Marianna (Northwest division) the total fuel adjustment factor  
29 as shown on Line 33, Schedule E1, is [REDACTED] per KWH. In Fernandina

**FLORIDA PUBLIC UTILITIES COMPANY**  
**FUEL AND PURCHASED POWER**  
**COST RECOVERY CLAUSE CALCULATION**

SCHEDULE E1  
PAGE 1 OF 2

ESTIMATED FOR THE PERIOD: JANUARY 2008 - DECEMBER 2008

**MARIANNA (NORTHWEST DIVISION)**

	(a)	(b)	(c)
	DOLLARS	MWH	CENTS/KWH
1 Fuel Cost of System Net Generation (E3)		0	
2 Nuclear Fuel Disposal Costs (E2)			
3 Coal Car Investment			
4 Adjustments to Fuel Cost			
5 TOTAL COST OF GENERATED POWER (LINE 1 THRU 4)	0	0	0.00000
6 Fuel Cost of Purchased Power (Exclusive of Economy) (E7)		383,453	
7 Energy Cost of Sched C & X Econ Purch (Broker) (E9)			
8 Energy Cost of Other Econ Purch (Non-Broker) (E9)			
9 Energy Cost of Sched E Economy Purch (E9)			
10 Demand & Transformation Cost of Purch Power (E2)		383,453	
10a Demand Costs of Purchased Power			
10b Transformation Energy & Customer Costs of Purchased Power	984,240 *		
11 Energy Payments to Qualifying Facilities (E8a)			
12 TOTAL COST OF PURCHASED POWER (LINE 6 THRU 11)		383,453	
13 TOTAL AVAILABLE KWH (LINE 5 + LINE 12)		383,453	
14 Fuel Cost of Economy Sales (E6)			
15 Gain on Economy Sales (E6)			
16 Fuel Cost of Unit Power Sales (SL2 Partpts) (E6)			
17 Fuel Cost of Other Power Sales			
18 TOTAL FUEL COST AND GAINS OF POWER SALES	0	0	0.00000
19 Net Inadvertent Interchange			
20 TOTAL FUEL & NET POWER TRANSACTIONS (LINE 5 + 12 + 18 + 19)		383,453	
21 Net Unbilled Sales	0 *	0	0.00000
22 Company Use	24,136 *	342	0.00680
23 T & D Losses	2,000,107 *	28,341	0.56378
24 SYSTEM MWH SALES		354,770	
25 Less Total Demand Cost Recovery			
26 Jurisdictional MWH Sales		354,770	
26a Jurisdictional Loss Multiplier	1.00000	1.00000	
27 Jurisdictional MWH Sales Adjusted for Line Losses		354,770	
28 GPIF **			
29 TRUE-UP **	3,856	354,770	0.00109
30 TOTAL JURISDICTIONAL FUEL COST		354,770	
31 Revenue Tax Factor			1.00072
32 Fuel Factor Adjusted for Taxes			
33 FUEL FAC ROUNDED TO NEAREST .001 CENTS/KWH			

\* For Informational Purposes Only  
\*\* Calculation Based on Jurisdictional KWH Sales  
\*\*\* Calculation on Schedule E1 Page 2

EXHIBIT NO. \_\_\_\_\_  
DOCKET NO. 070001-EI  
FLORIDA PUBLIC UTILITIES COMPANY  
(MK-1)  
PAGE 1 OF 14

**FLORIDA PUBLIC UTILITIES COMPANY**  
FUEL FACTOR ADJUSTED FOR  
LINE LOSS MULTIPLIER  
ESTIMATED FOR THE PERIOD: JANUARY 2008 - DECEMBER 2008  
0

**MARIANNA (NORTHWEST DIVISION)**

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
			(1)/((2)*4,380)			(3)*(4)	(1)*(5)	(6)/Total Col. (6)	(7)/Total Col. (7)
Rate Schedule	KWH Sales	12 CP Load Factor	CP KW At Meter	Demand Loss Factor	Energy Loss Factor	CP KW At GEN.	KWH At GEN.	12 CP Demand Percentage	Energy Percentage
34 RS	156,110,893	61.971%	57,513.6	1.089	1.030	62,632.3	160,794,220	49.06%	44.00%
35 GS	30,861,060	64.200%	10,974.9	1.089	1.030	11,951.7	31,786,892	9.36%	8.70%
36 GSD	96,134,852	73.168%	29,997.5	1.089	1.030	32,667.3	99,018,898	25.58%	27.10%
37 GSLD	66,464,661	84.178%	18,026.8	1.089	1.030	19,631.2	68,458,601	15.37%	18.73%
38 OL, OL1	4,040,542	160.732%	573.9	1.089	1.030	625.0	4,161,758	0.49%	1.14%
39 SL1, SL2 & SL3	1,156,154	160.732%	164.2	1.089	1.030	178.8	1,190,839	0.14%	0.33%
40 TOTAL	<u>354,768,162</u>		<u>117,250.9</u>			<u>127,686.3</u>	<u>365,411,208</u>	<u>100.00%</u>	<u>100.00%</u>

	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
	12/13 * (8)	1/13 * (9)	(10) + (11)	Tot. Col. 13 * (12)	(13)/(1)	(14) * 1.00072		(15) + (16)
Rate Schedule	12/13 Of 12 CP	1/13 Of Energy	Demand Allocatio Percentage	Demand Dollars	Demand Cost Recovery	Demand Cost Recovery Adj for Taxes	Other Charges	Levelized Adjustment
41 RS	45.28%	3.39%	48.67%		0.03232	0.03234		\$0.07945
42 GS	8.64%	0.67%	9.31%		0.03127	0.03129		\$0.07840
43 GSD	23.61%	2.08%	25.69%		0.02770	0.02772		\$0.07483
44 GSLD	14.19%	1.44%	15.63%		0.02438	0.02440		\$0.07151
45 OL, OL1	0.45%	0.09%	0.54%		0.01385	0.01386		\$0.06097
46 SL1, SL2 & SL3	0.13%	0.03%	0.16%		0.01434	0.01435		\$0.06146
47 TOTAL	<u>92.30%</u>	<u>7.70%</u>	<u>100.00%</u>					

Step Rate Allocation for Residential Customers

	(18)	(19)	(20)	(21)
				(19) * (20)
Rate Schedule	Allocation	Annual kWh	Levelized Adj.	Revenues
48 RS	Sales	156,110,893	\$0.07945	\$12,403,010
49 RS	<= 1,000kWh/mo.	103,746,616	\$0.07610	\$7,894,671
50 RS	> 1,000 kWh/mo.	52,364,277	\$0.08610	\$4,508,339
51 RS	Total Sales	156,110,893		\$12,403,010

(2) From Gulf Power Co. 2003 Load Research results.  
(4) From Fernandina Rate Case.



FLORIDA PUBLIC UTILITIES COMPANY  
 MARIANNA (NORTHWEST DIVISION)  
 FUEL & PURCHASED POWER COST RECOVERY CLAUSE CALCULATION

ESTIMATED FOR THE PERIOD: JANUARY 2008 - DECEMBER 2008

LINE NO.	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	LINE NO.
	2008 JANUARY	2008 FEBRUARY	2008 MARCH ESTIMATED	2008 APRIL	2008 MAY	2008 JUNE	2008 JULY	2008 AUGUST	2008 SEPTEMBER	2008 OCTOBER	2008 NOVEMBER	2008 DECEMBER	TOTAL PERIOD	
1													0	1
1a													0	1a
2													0	2
3														3
3a														3a
3b													0	3b
4													0	4
5														5
6														6
7														7
7a	31,246	25,540	25,792	25,296	25,454	31,991	35,201	34,007	36,136	31,697	23,797	28,613	354,770	7a
7b														7b
8	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	8
9														9
10														10
11	0.00109	0.00109	0.00109	0.00109	0.00109	0.00109	0.00109	0.00109	0.00109	0.00109	0.00109	0.00109	0.00109	11
12														12
13	0.00072	0.00338	0.00342	0.00342	0.00342	0.00337	0.00336	0.00336	0.00335	0.00338	0.00344	0.00340	0.00339	13
14	4.69571	4.75450	4.75129	4.75751	4.75547	4.68959	4.66626	4.67440	4.66025	4.69198	4.77797	4.71993	4.71069	14
15	4.696	4.754	4.751	4.758	4.755	4.690	4.666	4.674	4.660	4.692	4.778	4.720	4.711	15

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 FLORIDA PUBLIC UTILITIES COMPANY  
 (MK-1)  
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**FLORIDA PUBLIC UTILITIES COMPANY  
 MARIANNA (NORTHWEST DIVISION)  
 PURCHASED POWER  
 (EXCLUSIVE OF ECONOMY ENERGY PURCHASES)**

ESTIMATED FOR THE PERIOD: JANUARY 2008 - DECEMBER 2008

(1) MONTH	(2) PURCHASED FROM	(3) TYPE & SCHEDULE	(4) TOTAL KWH PURCHASED	(5) KWH FOR OTHER UTILITIES	(6) KWH FOR INTERRUPTIBLE	(7) KWH FOR FIRM	(8) CENTS/KWH		(9) TOTAL \$ FOR FUEL ADJ. (7) x (8) (A)
							(A) FUEL COST	(B) TOTAL COST	
JANUARY 2008	GULF POWER COMPANY	RE	33,771,952			33,771,952			
FEBRUARY 2008	GULF POWER COMPANY	RE	27,605,321			27,605,321			
MARCH 2008	GULF POWER COMPANY	RE	27,877,261			27,877,261			
APRIL 2008	GULF POWER COMPANY	RE	27,341,053			27,341,053			
MAY 2008	GULF POWER COMPANY	RE	27,511,673			27,511,673			
JUNE 2008	GULF POWER COMPANY	RE	34,577,240			34,577,240			
JULY 2008	GULF POWER COMPANY	RE	38,047,206			38,047,206			
AUGUST 2008	GULF POWER COMPANY	RE	36,756,345			36,756,345			
SEPTEMBER 2008	GULF POWER COMPANY	RE	39,058,077			39,058,077			
OCTOBER 2008	GULF POWER COMPANY	RE	34,259,455			34,259,455			
NOVEMBER 2008	GULF POWER COMPANY	RE	25,720,954			25,720,954			
DECEMBER 2008	GULF POWER COMPANY	RE	30,926,387			30,926,387			
<b>TOTAL</b>			<b>383,452,924</b>	<b>0</b>	<b>0</b>	<b>383,452,924</b>			

EXHIBIT NO. \_\_\_\_\_  
 DOCKET NO. 070001-EI  
 FLORIDA PUBLIC UTILITIES COMPANY  
 (MK-1)  
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**FLORIDA PUBLIC UTILITIES COMPANY  
 MARIANNA (NORTHWEST DIVISION)  
 RESIDENTIAL BILL COMPARISON  
 FOR MONTHLY USAGE OF 1000 KWH**

ESTIMATED FOR THE PERIOD: JANUARY 2008 - DECEMBER 2008

JANUARY 2008	FEBRUARY 2008	MARCH 2008	APRIL 2008	MAY 2008	JUNE 2008	JULY 2008
-----------------	------------------	---------------	---------------	-------------	--------------	--------------

BASE RATE REVENUES ** \$						
FUEL RECOVERY FACTOR CENTS/KWH						
GROUP LOSS MULTIPLIER						
FUEL RECOVERY REVENUES \$						
GROSS RECEIPTS TAX						
TOTAL REVENUES *** \$	103.01	103.01	103.01	103.01	103.01	103.01

AUGUST 2008	SEPTEMBER 2008	OCTOBER 2008	NOVEMBER 2008	DECEMBER 2008
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PERIOD TOTAL
-----------------

BASE RATE REVENUES ** \$					
FUEL RECOVERY FACTOR CENTS/KWH					
GROUP LOSS MULTIPLIER					
FUEL RECOVERY REVENUES \$					
GROSS RECEIPTS TAX					
TOTAL REVENUES *** \$	103.01	103.01	103.01	103.01	1,236.12

• MONTHLY AND CUMULATIVE SIX MONTH ESTIMATED DATA

\*\* BASE RATE REVENUES PER 1000 KWH:

CUSTOMER CHARGE  
 CENTS/KWH  
 CONSERVATION FACTOR



EXHIBIT NO. \_\_\_\_\_  
 DOCKET NO. 070001-EI  
 FLORIDA PUBLIC UTILITIES COMPANY  
 (MK-1)  
 PAGE 6 OF 14

\*\*\* EXCLUDES FRANCHISE TAXES

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been served by U. S. Mail this 5<sup>th</sup> day of September, 2007 upon the following:

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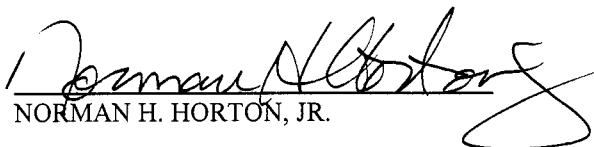
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NATHAN A. SKOP

STATE OF FLORIDA



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ANN COLE  
COMMISSION CLERK  
(850) 413-6770

**Public Service Commission** **CONFIDENTIAL**

ACKNOWLEDGEMENT

DATE: 9/5/07

TO: N. Horton/Messer Law Firm

FROM: R. Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket Number 070001-EI or, if filed in an undocketed matter, concerning information contained in Exhibits attached to testimony of Mehrdad Khojateh, and filed on behalf of FPUC. 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  
08045 SEP-5 2007  
FPSC-COMMISSION CLERK

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STATE OF FLORIDA

COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
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KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP



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Public Service Commission

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

DATE: September 6, 2007

TO: \_\_\_\_\_ OFFICE OF THE GENERAL COUNSEL  
\_\_\_\_\_ DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT  
XX \_\_\_\_\_ DIVISION OF ECONOMIC REGULATION  
\_\_\_\_\_ DIVISION OF REGULATORY COMPLIANCE AND  
\_\_\_\_\_ CONSUMER ASSISTANCE

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 08045-07

DESCRIPTION: FPUC (Horton) - (CONFIDENTIAL) Direct testimony of Mehrdad Khojasteh.

\_\_\_\_\_  
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\_\_\_\_\_

SOURCE: Progress Energy Florida, Inc.

DOCKET NO(s): 070001-EI

The above material was received with a request for confidential classification. 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 the Commission Clerk and Administrative Services, Bureau of Records and Hearing Services, and to the Office of General Counsel.