

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 070001-EI  
Filed: October 8, 2007

**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 FPUC's Preliminary List of Issues and Positions filed in this docket. In support of this Request, FPUC would state:

1. On September 5, 2007, FPUC filed its testimony and exhibits in support of the purchased power cost recovery factor to be applied to customer bills in 2008. Accompanying that filing was a request for confidential treatment of portions of the schedules and testimony on the basis that the identified information consisted of contractual data and information relating to competitive interests and thus exempt from disclosure pursuant to Section 366.093(3)(d) and (e),

CMP \_\_\_\_\_ Florida Statutes. On October 3, FPUC filed a revised request which withdrew the request as to  
COM \_\_\_\_\_ some of the material.

CTR \_\_\_\_\_ 2. The Prehearing Statement filed by FPUC on October 8, 2007 contains some of the

ECR \_\_\_\_\_  
GCL 2 numbers for which confidential treatment has been requested in the revised request.

OPC \_\_\_\_\_ Specifically, FPUC's positions for Marianna on Issues 5 and 6 contain numbers which have

RCA \_\_\_\_\_ previously been identified as confidential and proprietary and for which a request for  
SCR \_\_\_\_\_

SGA \_\_\_\_\_ confidential treatment is pending.

SEC \_\_\_\_\_

OTH 1com records

3. FPUC purchases power from Gulf Power Co. pursuant to a contract which was competitively bid. Costs to FPUC under the Agreement reflect the results of negotiations between the parties and disclosure of those as well as numbers from which those costs can be calculated would harm both companies and their customers and impair their ability to negotiate favorable terms. The numbers are considered to be and are treated as confidential proprietary business information pursuant to Section 366.093(3)(d) and (e). In addition to the foregoing FPUC would incorporate in this request the points made in the amended request filed October 3, 2007 as to these same numbers.

Wherefore, FPUC requests the Commission to enter its order granting confidential treatment to the specified numbers.

DATED this 8<sup>th</sup> day of October, 2007.

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

  
NORMAN H. HORTON, JR., ESQ.

Attorneys for Florida Public Utilities Company

STATE OF FLORIDA

COMMISSIONERS:  
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**CONFIDENTIAL**

**Public Service Commission**

**ACKNOWLEDGEMENT**

DATE: 10/8/07

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 070001-EI or, if filed in an undocketed matter, concerning information contained in FPUC's Preliminary List of Issues and Positions, 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  
09213 OCT-8  
FPSC-COMMISSION CLERK

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Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)