

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Joint Petition for) DOCKET NO. 960604-EQ
Expedited Approval of Settlement) ORDER NO. PSC-96-1271-CFO-EQ
Agreement by Florida Power) ISSUED: October 10, 1996
Corporation and Ridge Generating)
Station, L.P.)
_____)

ORDER GRANTING REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF DOCUMENT NO. 07789-96

On September 19, 1996, Florida Power Corporation (FPC) filed a request for confidential classification pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. The request seeks confidential treatment of certain highlighted information found in Document No. 07789-96, tables entitled "Ratepayer Benefit - Ridge Curtails to Zero" and "FPC Position."

FPC asserts that it is currently involved in settlement negotiations with a number of its contract Qualifying Facilities (QFs) in an effort to resolve issues similar to the issues addressed by its agreement with Ridge Generating Station, L.P. (Ridge). FPC argues that if the detailed financial information contained in these tables were disclosed, FPC's ability to negotiate settlements with other Qfs would be impaired. FPC argues that if other Qfs discovered the financial basis of FPC's settlement with Ridge or the amount in dispute, they would be unwilling to settle for less than the amount agreed upon between FPC and Ridge. Thus, FPC asserts, a ceiling would be placed on the benefits available to FPC and its ratepayers from the negotiations.

Upon examination of Document No. 07789-96 and review of the pleadings, I find that the release of the information for which FPC has requested confidential treatment would harm FPC's ability to negotiate with other Qfs. Therefore, pursuant to the provisions of Section 366.093(4), Florida Statutes, and Rule 25-22.006(8), Florida Administrative Code, FPC's request for confidential treatment is granted.

Based on the foregoing, it is therefore

ORDERED by Diane K. Kiesling, Commissioner and Prehearing Officer, that Florida Power Corporation's Request for Confidential Classification of Document No. 07789-96 is granted. It is further

ORDERED that, pursuant to Section 366.093(4), Florida Statutes, and Rule 25-22.006(8), Florida Administrative Code, any finding of confidentiality herein shall expire eighteen (18) months from the date of issuance of this Order in the absence of a renewed

DOCUMENT NUMBER-DATE

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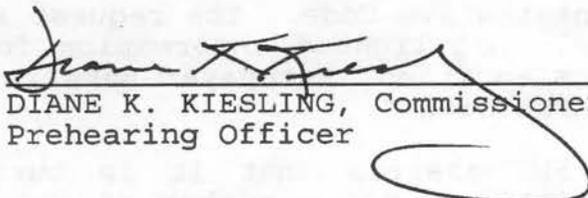
FPSC-RECORDS/REPORTING

ORDER NO. PSC-96-1271-CFO-EQ
DOCKET NO. 960604-EQ
PAGE 2

request for confidential treatment pursuant to Section 366.093, Florida Statutes. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidential treatment granted herein.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 10th day of October, 1996.


DIANE K. KIESLING, Commissioner and
Prehearing Officer

(S E A L)

BC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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.