



Public Service Commission

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COMMISSION CLERK

DATE: September 11, 2008

TO: Office of the Commission Clerk (Cole, McLean) *W*

FROM: Division of Regulatory Compliance (Freeman, Vandiver) *F*

RE: Docket 080065-TX, Recommendation to grant a Confidential Claim in response to VCI Company d/b/a Vilaire Communications (Vilaire) petition for confidential classification concerning a portion of the staff working papers prepared during the "Vilaire Communications, Inc. Audit of Low Income USAC Programs", Audit Control Number No. 07-250-1-2, Document No. 10380-07

Please treat document 10380-07 as claimed confidential with a declassification date set as 5 years after docket 080065 closes. At which time, the Bureau of Audit document should be destroyed according to records retention requirements.

On November 5, 2007, when copies of certain portions of staff's audit working papers obtained or prepared during the "Vilaire Communications, Inc. Audit of Low Income USAC Programs", were delivered to Vilaire at the audit exit conference, the utility requested that these materials be temporarily exempted from public access in accordance with provisions of Rule 25-22.006(3)(a)2., Florida Administrative Code (FAC).

On November 19, 2007, staff filed as confidential document numbered 10380-07 consisting of those specified portions of the staff's audit working papers.

On December 6, 2007, Vilaire petitioned pursuant to Section 364.183 [sic], Florida Statutes (F.S) and Rule 25-22.006, FAC, that portion of the staff's working papers receive a confidential classification. Vilaire's petition meets the requirements of Rule 25-22.006(5), FAC, which provides the Commission may grant a claim of confidentiality to this material.

A copy of this information was taken (Document No. 02805-08) and entered into the preliminary hearing record for this docket along with the auditor's testimony. The Commission has taken up Document No. 02805-08 separately and issued an order on granting confidentiality for that material (PSC Order 08-0522-CFO-TX, issued August 12, 2008, in docket No. 080065).

- COM** _____
- ECR** _____ The matter at hand pertains to the auditor's original working papers filed at the end of the Vilaire
- GCL** _____ audit (Document No. 10380-07). This document contains the original copy of the staff's audit
- OPC** _____ working papers and should be granted a claim of confidentiality with a declassification date set
- RCP** _____ as 5 years after the docket closes. At that time, the document should be destroyed.
- SSC** _____
- SGA** _____ CC: General Counsel's Office (Bellak, Tan)
- ADM** _____ Bureau of Audit Tallahassee District Office (Deamer)
- CLK** *McLean*