



MESSER CAPARELLO & SELF, P.A.

Attorneys At Law
www.lawfla.com

October 13, 2008

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
08 OCT 13 PM 3:49
COMMISSION CLERK

Re: Docket No. 080001-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Public Utilities Company are the following documents:

- 1. An original and 15 copies of Florida Public Utilities Company's Prehearing Statement;
2. One 3 1/2" diskette with the Redacted Prehearing Statement on it in MS Word 2003; and
3. An original and 15 copies of Florida Public Utilities Company's Request for Confidential Treatment.

Thank you for your assistance in this matter.

Sincerely,

Handwritten signature of Norman H. Horton, Jr.

Norman H. Horton, Jr.

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NHH:amb
Enclosures
cc: Mr. Curtis D. Young
Parties of Record

DOCUMENT NUMBER-DATE
09719 OCT 13 08
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 080001-EI
Filed: October 13, 2008

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

Florida Public Utilities Company ("FPUC" or "Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, herewith submits this Request for Confidential Classification of information contained in FPUC's Prehearing Statement. In support of this Request, FPUC would state:

1. On September 15, 2008, FPUC filed its testimony and exhibits in support of the purchased power cost recovery factor to be applied to customer bills in 2009. Accompanying that filing was a request for confidential treatment of portions of the schedules 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), Florida Statutes.

2. The Prehearing Statement contains some of the numbers for which confidential treatment has been requested. Specifically, FPUC's position for Marianna on Issue 5, the net fuel and purchased power recovery amount, has previously been identified as confidential and proprietary and a request for confidential classification is pending.

3. FPUC would incorporate herein the request filed September 27 and would add that disclosure of the projected fuel and purchased power recovery amount would disclose terms of the negotiated purchased power agreement which are considered and treated as confidential.

FPUC purchases power from Gulf Power Co. pursuant to a contract which was competitively bid and the costs to FPUC under the Agreement reflect the results of negotiations between the parties. 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).

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

DATED this 13th day of October, 2008.

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been served by U. S. Mail this 13th day of October, 2008 upon the following:

Lisa C. Bennett, Esq.
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Patricia Ann Christensen
Associate Public Counsel
Office of the Public Counsel
c/o The Florida Legislature
111 West Madison St., Rm 812
Tallahassee, FL 32399-1400

John T. Burnett, Esq.
Progress Energy Florida, Inc.
P.O. Box 14042
St. Petersburg, FL 33733-4042

Ms. Paula K. Brown
Tampa Electric Company
P.O. Box 111
Tampa, FL 33601-0111

Paul Lewis, Jr.
Progress Energy Florida, Inc.
106 E. College Avenue, Suite 800
Tallahassee, FL 32301

John Butler, Esq.
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

R. Wade Litchfield
Vice President and Associate General Counsel
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

John W. McWhirter, Jr. Esq.
McWhirter Reeves & Davidson, P.A.
P.O. Box 3350
Tampa, FL 33601-3350

Ms. Susan D. Ritenour
Secretary and Treasurer
Gulf Power Company
One Energy Place
Pensacola, FL 32520-0780

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Steve R. Griffin, Esq.
Beggs & Lane Law firm
P.O. Box 12950
Pensacola, FL 32591-2950

Lee L. Willis, Esq.
James D. Beasley, Esq.
Ausley & McMullen
Post Office Box 391
Tallahassee, FL 32302

Michael B. Twomey, Esq.
P.O. Box 5256
Tallahassee, FL 32314-5256

Robert Scheffel Wright
John Thomas LaVia, III
Young van Assenderp, P.A.
225 South Adams Street, Suite 200
Tallahassee, FL 32301

James W. Brew
Brickfield, Burchette, Ritts & Stone, P.C.
Eighth Floor, West Tower
1025 Thomas Jefferson Street, NW
Washington, DC 20007

Cecilia Bradley
Senior Assistant Attorney General
Office of the Attorney General
The Capitol - PL01
Tallahassee, FL 32399-1050

Lt. Col. Karen White and Capt. Damund Williams
AFCESA/ULT
139 Barnes Drive
Tyndall Air Force Base, Florida 32403


NORMAN H. HORTON, JR.

STATE OF FLORIDA

COMMISSIONERS:
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ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: October 13, 2008

TO: Norman Horton, Messer Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

CONFIDENTIAL

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket Number 080001 or, if filed in an undocketed matter, concerning information contained in prehearing statement, and filed on behalf of Florida Public Utilities Company. 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
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FPSC-COMMISSION CLERK

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us