

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

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11 NOV -2 PM 12:44
COMMISSION
CLERK

DATE: November 2, 2011
TO: Martha Barrera, Senior Attorney, Office of the General Counsel
FROM: Elisabeth Draper, Economic Analyst, Division of Economic Regulation *ED*
RE: Docket No. 110271-GU; Petition by Peninsula Pipeline Company for Approval of Agreement with Florida Public Utilities Company
Request for Confidential Classification for Docket No. 08011-11.

On October 10, 2011, Florida Public Utilities Company (FPUC) filed its request for confidential classification for Document No. 08011-11. The document contains the responses to Staff's First Data Requests Nos. 1-4 to FPUC and contains proprietary competitive bid information. Staff has reviewed the document and concurs with FPUC that the nature of the information meets the requirements set forth in Section 366.093(3)(d) and (e), Florida Statutes, whereby disclosure of the information would harm FPUC's business operations and ratepayers.

Therefore, staff recommends that FPUC's request for confidential classification of Docket No. 08011-11 be approved.

cc: Office of Commission Clerk

DOCUMENT NUMBER - DATE

08091 NOV-2 =

FPSC-COMMISSION CLERK



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

DATE: 11/2/11

TO: Division of Economic Regulation, Office of Primary Responsibility

FROM: Office of Commission Clerk

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
 Docket No(s): 110271-GU Document No(s): 08011-11
 Description: FPUC (Keating) - (CONFIDENTIAL) Information contained in responses to staff's first data requests.
 Source: Florida Public Utilities Company

The above-referenced confidential material was filed along with a request for confidential classification. Please check all applicable information and forward a copy to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation. Copies of your recommendation should also be filed with the Office of Commission Clerk and the Office of General Counsel.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;
 - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Elisabeth Draper on 11/2/2011. I have provided one copy of the full recommendation to the Office of General Counsel and two copies to the Office of Commission Clerk for the docket file and processing of the confidential material.