

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into affiliated) DOCKET NO. 860001-EI-G
cost-plus fuel supply relationships) ORDER NO. 23580
of Florida Power Corporation.) ISSUED: 10-04-90
_____)

ORDER GRANTING CONFIDENTIALITY

In an effort to establish a market price standard, Florida Power Corporation (FPC) prepared and filed a Market Pricing Proposal of FPC on June 26, 1989. FPC seeks confidential classification of several figures contained in the document identified as DN-6219-89. Specifically, FPC seeks confidential classification of the figure in the last line of footnote 8 on page 7 because it gives the current contract price for Powell Mountain Joint Venture (PMJV) coal. If disclosed, FPC argues, it would impair the ability of Electric Fuels Corporation (EFC), on behalf of FPC, to contract for coal on the most favorable terms because coal suppliers would have access to data concerning competitive alternatives. We agree.

FPC also seeks confidential treatment of certain figures in Appendices 1 and 5. FPL contends that the last 2 columns labeled "Transport Differential c/mmbtu" and "Transport Adjustment c/mmbtu" on Appendix 1; the last 3 columns labeled "1987 PMJV Transport Cost to Crystal River (\$/ton); "1987 Transport Differential (\$/ton), " and "1987 Transport Differential (cent/mmbtu)" on Appendix 5; and all dollar figures in columns 1, 5, 6 and 21 through 32 on page 2 of Appendix 5, are proprietary confidential business information. These numbers, FPC explains, reveal EFC's actual transportation costs, including rail rates, car costs, discounts, handling rates, and cost components from which actual transportation costs or rates can be determined when compared to other public data. If these figures are released, FPC argues, it would impair the ability of EFC to contract for coal transportation and handling on the most favorable terms because potential suppliers would have access to inside data about competitive alternatives. We agree.

Section 366.093(3)(d), Florida Statutes, defines proprietary confidential business information to include:

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.

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Based upon an examination of documents identified as DN-6219-89, I find said documents do contain confidential information, which if released, could affect the ability of the affiliate EFC to contract for coal and transportation rates on favorable terms.

FPC states that it is unable to determine when the information will no longer be proprietary confidential business information and subject to declassification.

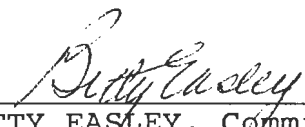
In consideration of the foregoing, it is

ORDERED that Florida Power Corporation's request for confidential classification of its Market Pricing Proposal identified as DN-6219-89 is granted. It is further

ORDERED that the period of confidential classification shall be until Florida Power Corporation indicates that the information is no longer proprietary confidential business information and entitled to confidential treatment. It is further

ORDERED that if a protest is filed within 14 days of the date of this Order, it shall be resolved by the appropriate Commission panel.

By ORDER of Commissioner Betty Easley, Prehearing Officer, this 4th day of OCTOBER, 1990.



BETTY EASLEY, Commissioner
and Prehearing Officer

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