



**Florida
Power**
CORPORATION

JAMES A. MCGEE
SENIOR COUNSEL

July 24, 1995

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

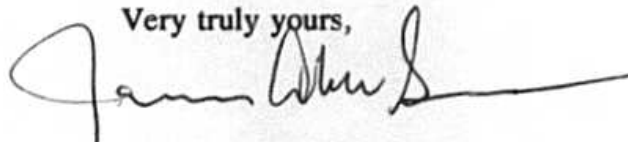
Re: Docket No. ~~950001~~-EI; Request for Specified Confidential Treatment.

Dear Ms. Bayo:

Enclosed for filing are 15 copies of Florida Power Corporation's Motion for Waiver of Twenty-One-Day Filing Requirement and an original of its Request for Specified Confidential Treatment regarding certain information contained in documents requested by Staff as part of its audit in the above-captioned matter. Attachment C to the Request is an unedited copy of the documents which denotes the confidential information with shading. **Attachment C should be treated as Specified Confidential.** Edited copies of these documents, which may be made public, are also enclosed.

Please acknowledge your receipt and filing of the above on the enclosed copy of this letter and return same to me.

Very truly yours,



James A. McGee

JAM:jb
Enclosures



CERTIFICATE OF SERVICE

Docket No. 950001-EI

I HEREBY CERTIFY that a true copy of Florida Power Corporation's Motion for Waiver of Twenty-One-Day Filing Requirement and its Request for Specified Confidential Treatment, sans Attachment C, has been furnished to the following individuals by U.S. Mail this 24th day of July, 1995:

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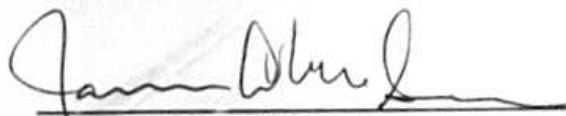
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost
recovery clause with generating
performance incentive factor.

Docket No. 950001-EI
Submitted for filing
July 14, 1995

**MOTION FOR WAIVER OF
TWENTY-ONE-DAY FILING REQUIREMENT**

Florida Power Corporation (FPC) hereby moves this Commission to waive the 21-day filing requirement of Rule 25-22.006(3)(a), Florida Administrative Code, with respect to FPC's contemporaneously filed request for confidential classification and, in support hereof, represents as follows:

1. In conjunction with its most recent audit of FPC's books and records in the subject docket, Staff field auditors requested FPC to provide certain documents related to FPC's fuel procurement activities. In addition, for the first time, the field auditors requested similar documents directly from FPC's affiliated fuel supplier, Electric Fuels Corporation (EFC). The EFC representative who provided the documents, a number of which contained sensitive confidential information, believed that none of the confidential documents would be included with the audit report unless she was personally notified to the contrary. The EFC representative received no such notification.

DOCUMENT NUMBER-DATE

07075 JUL 25 95

FPSC-RECORDS/REPORTING

2. At the field audit exit conference, FPC was advised of the documents that would be retained by the field auditors as supporting workpapers for the audit report, which included the documents provided by EFC. However, no EFC representative attended the exit conference. As a result of the misunderstandings and miscommunications surrounding the confidential EFC documents, and administrative oversight on the part of FPC, the 21-day period for requesting confidential classification elapsed without such a request being filed.

3. At the time the final audit report was being readied for filing with the Commission, Ms. Denise Vandiver, Auditing Bureau Chief, determined that a request for confidential classification had not been filed and promptly advised FPC of the problem. She also advised that, although no request had been filed, the confidentiality of the documents had been maintained by the Bureau of Records.

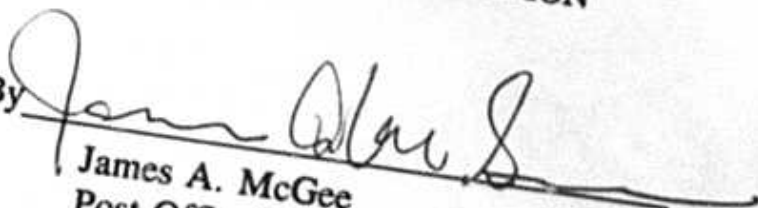
4. FPC has prepared and contemporaneously filed its request for confidential classification with respect to the documents in question. FPC asks that the 21-day filing requirement of the confidentiality rule be waived in order that FPC's request be considered on its merits. In every case, the justifications for confidential classification described in FPC's request show that the harm from disclosure of the confidential information would be higher fuel costs to FPC's ratepayers. A strict and inflexible application of the 21-day filing requirement would work to the ratepayers detriment.

WHEREFORE, Florida Power Corporation respectfully requests that the 21-day filing requirement contained in Rule 25-22.006(3)(a), Florida Administrative Code, be waived with respect to FPC's contemporaneously filed request for confidential classification.

Respectfully submitted,

OFFICE OF THE GENERAL COUNSEL
FLORIDA POWER CORPORATION

By



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