



Public Service Commission

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

DATE: October 4, 2000

TO: DIVISION OF RECORDS AND REPORTING (FLYNN)

FROM: DIVISION OF REGULATORY OVERSIGHT (FREEMAN, VANDIVER) *F* *A* *gnd*

RE: DOCKET 001237-EI, DOCUMENT NUMBER 10603-00, WORKING PAPER 1, PAGE 5, PREPARED DURING AUDIT ENTITLED FPL FIBER OPTIC TRANSFER TO SUBSIDIARY, AUDIT No. 99-270-4-1

On August 28, 2000, staff filed document 10603-00 consisting of excerpts from the staff audit of FPL Fiber Optic Transfer to Subsidiary, Audit Number 99-270-4-1. The utility requested at the August 4, 2000, audit exit conference that certain audit report pages be temporarily exempted from public access pursuant to Rule 22.006 (3)(a)(2), Florida Administrative Code (FAC).

Staff's filing in document 10603-00 includes page 5 of the Audit Report in this case. The utility has not requested confidential protection of this page of the Audit Report in its filing for confidential protection of this material, see Document 10552-00, Exhibit C, Work paper 1, page 3.

Since more than twenty-one days have passed since the exit conference, and the utility has not filed a request for confidential classification for this specific audit page. Accordingly pursuant to Rule 25-22.006(3)(a)(2), FAC, we recommend that the failure to file a request constitutes a waiver of confidentiality for Audit Report, page 5.

APP _____ Please release Audit Report Page 5 from Document 10603-00 to the Division of
CAF _____
CMP _____ Regulatory Oversight.
COM _____
CTR _____
ECR _____
LEG _____
OPC _____
PAI _____
RGO _____
SEC _____
SER _____
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CC: Division of Appeals (Bellak)

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING