

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of natural gas transportation service agreement between Florida City Gas and Miami-Dade County through Miami-Dade Water and Sewer Department.

DOCKET NO. 20250058-GU  
ORDER NO. PSC-2025-0325-CFO-GU  
ISSUED: August 28, 2025

ORDER GRANTING REQUEST FOR CONFIDENTIALITY  
BY FLORIDA CITY GAS (DOCUMENT NO. 04193-2025)

On June 3, 2025, pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), Florida City Gas (FCG) filed a Request for Confidential Classification (Request) of information contained in its responses to Staff's First Set of Data Requests to its Petition (Responses) for approval of natural gas transportation service agreement between Florida City Gas and Miami-Dade County through Miami-Dade Water and Sewer Department (Document No. 04193-2025). This request was filed in Docket No. 20250058-GU.

Request for Confidential Classification

FCG contends that information contained in its Responses constitutes proprietary and confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C.

Specifically, FCG identified the table of transportation rates on page 2 of its Responses as confidential. FCG also requested confidentiality of the 2024 Transportation Service Agreement rates referenced in the Responses. Furthermore, FCG requests that the Alexander Orr and Hialeah plant rates on page 5 of Attachment A and page 1 of Attachment B to its Responses be deemed confidential. Disclosure of this information would impair FCG's ability to compete for goods and services and provide its competitors with an unfair competitive advantage. FCG explained in its request for confidential classification that both FCG and Miami-Dade County treat the information as proprietary confidential business information that is not otherwise available in the public domain.

Therefore, FCG argues that such information is entitled to confidential classification pursuant to Section 366.093(3)(d) and (e), F.S.

Ruling

Section 366.093(1), F.S., provides that records that the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. Section 366.093(3), F.S., defines

proprietary confidential business information as information that is intended to be and is treated by the company as private, in that disclosure of the information would cause harm to the company's ratepayers or business operations, and has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

(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 the information.

Upon review, it appears the above-referenced information satisfies the criteria set forth in Section 366.093(3), F.S., for classification as proprietary confidential business information. The information described above and in FCG's Request appears to contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of FCG or its affiliates to contract for goods or services on favorable terms, and information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Thus, the information identified in Document No. 04193-2025 shall be granted confidential classification.

Pursuant to Section 366.093(4), F.S., the information for which confidential classification is granted herein shall remain protected from disclosure for a period of up to 18 months from the date of issuance of this Order. At the conclusion of the 18-month period, the confidential information will no longer be exempt from Section 119.07(1), F.S., unless FCG or another affected person shows, and the Commission finds, that the records continue to contain proprietary confidential business information.

Based on the foregoing, it is hereby

ORDERED by Commissioner Art Graham, as Prehearing Officer, that Florida City Gas' Request for Confidential Classification of information contained in its responses to Staff's First Set of Data Requests (Document No. 04193-2025) is granted. It is further

ORDERED that the information in Document No. 04193-2025, for which confidential classification has been granted, shall remain protected from disclosure for a period of up to 18 months from the date of issuance of this Order. At the conclusion of the 18-month period, the confidential information will no longer be exempt from Section 119.07(1), F.S., unless Florida City Gas or another affected person shows, and the Commission finds, that the records continue to contain proprietary confidential business information. It is further

ORDERED that this Order shall be the only notification by the Commission to the parties of the date of declassification of the materials discussed herein.

By ORDER of Commissioner Art Graham, as Prehearing Officer, this 28th day of August, 2025.



ART GRAHAM

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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

RPS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.