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COMMISSION
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition to Determine)
Need For the Gainesville Renewable)
Energy Center in Alachua County) DOCKET NO. 090451-EM
By Gainesville Regional Utilities)
and Gainesville Renewable Energy) FILED: April 23, 2010
Center, LLC.)
_____)

GAINESVILLE REGIONAL UTILITIES' AND
GAINESVILLE RENEWABLE ENERGY CENTER, LLC'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION -
RESPONSE TO STAFF'S INTERROGATORY NO. 120

Gainesville Regional Utilities ("GRU") and Gainesville Renewable Energy Center, LLC ("GREC LLC"), collectively referred to as "Petitioners," pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submit this Request for Confidential Classification of certain information provided in the confidential response to Staff's Interrogatory No. 120, which is being served contemporaneously with this Request. In support of this Request, Petitioners state:

1. On April 2, 2010, the Commission Staff served their Seventh Set of Interrogatories (No. 120) to Gainesville Renewable Energy Center, LLC. The Petitioners served their non-

COM _____ confidential response to Staff's Seventh Set of Interrogatories
APA _____
ECR _____ (No. 120) on April 9, 2010. Also on April 9, 2010, Petitioners
GCL 1 filed their Notice of Intent to Request Confidential
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SSC _____
ADM _____
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Classification of portions of their response to Interrogatory No. 120.

2. The information for which Petitioners seek confidential classification is confidential summary information regarding the net present value of GRU's projected payments, and the levelized cost of electricity, under different scenarios for the in-service date of the GREC Project, for resale of 50 MW of the Project's capacity and output, and for carbon regulation costs and for costs associated with potential renewable portfolio standards or similar regulatory requirements. The subject information is the confidential, proprietary, business information of GREC LLC, the disclosure of which would cause harm to GREC LLC's competitive business interests. Additionally, the information is also regarded as trade secret information by GREC LLC, and accordingly, the public disclosure of the information is prohibited by Section 812.081(2), Florida Statutes.

3. The following exhibits are included with this revised request:

- a. Exhibit A is a table that identifies the portions of the response to Interrogatory No. 120 for which Petitioners seek confidential classification and the specific basis for seeking confidential treatment;

- b. Exhibit B includes two copies of a redacted version of the response to Interrogatory No. 120 for which Petitioners request confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means;
- c. Exhibit C is an unredacted copy of the response to Interrogatory No. 120 for which Petitioners seek confidential treatment. Exhibit C is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted version, the information asserted to be confidential is highlighted in yellow; and
- d. Exhibit D is the affidavit of Joshua H. Levine of GREC LLC submitted in compliance with Rule 25-22.006(4)(d), F.A.C., and in support of the Petitioners' request.

4. The information described above and identified on Exhibit "A" qualifies for confidential classification under Section 366.093(3), Florida Statutes. In addition to the GREC Project, GREC LLC is developing other biomass projects in Florida and elsewhere, and GREC LLC is currently in discussions with other utilities in the State of Florida regarding agreements to sell power from such facilities. The highlighted information in

the tables provided in response to Interrogatory No. 120 includes the projected contract payments to be made by GRU to GREC LLC, as well as information that, if disclosed, could be used to compute or "reverse engineer" the contract payments. The disclosure of this confidential information would harm GREC LLC's competitive business interests.

5. The information for which confidentiality is sought through this Request satisfies the requirements of Section 366.093, Florida Statutes, because:

- a. it is owned and controlled by GREC LLC;
- b. it is intended to be and is treated by GREC LLC as its private, confidential, proprietary, trade secret business information;
- c. it has not been disclosed to anyone outside GREC LLC except pursuant to confidentiality agreements or legal process;
- d. disclosure of the information would impair the competitive business interests of GREC LLC by revealing to its business competitors GREC LLC's confidential pricing information, which would enable GREC LLC's business competitors to compete against GREC LLC to its detriment, including by enabling such competitors to know GREC LLC's proprietary pricing structure information that

GREC LLC developed and negotiated specifically in the power purchase agreement between GREC LLC and GRU;

- e. disclosure of the information would impair GREC LLC's competitive business interests by revealing to other potential purchasers of power from projects being developed by GREC LLC and its affiliates confidential pricing information which could be used to establish a "floor" from which such other potential purchasers could negotiate against GREC LLC; and
- f. disclosure of the information would impair GREC LLC's competitive business interests by revealing, to potential vendors upon which GREC LLC must rely for goods and services necessary to its performance under the power purchase agreement between GREC LLC and GRU, information that would adversely impact GREC LLC's ability to contract for such necessary goods and services on favorable terms.

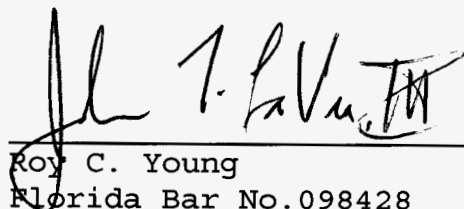
Accordingly, the information is entitled to confidential classification pursuant to Section 366.093(3)(d) and (e), Florida Statutes, as well as protected from public disclosure by Section

815.045, Florida Statutes, and by Section 812.081(2), Florida Statutes.

6. Petitioners request that the information identified above be classified as "proprietary confidential business information" within the meaning of Section 366.093(3), Florida Statutes; that the information remain confidential for a period of at least 18 months as provided in Section 366.093(4), Florida Statutes; and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, Petitioners respectfully request that this Request for Confidential Classification be granted.

Respectfully submitted this 23rd day of April, 2010.



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Attorneys for GREC LLC and GRU

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing, excluding the confidential document in Exhibit C, has been served by electronic mail and hand delivery (*) or U.S. Mail this 23rd day of April, 2010, on the following:

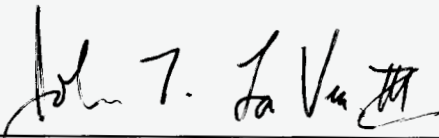
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Attorney

EXHIBIT A

JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF INFORMATION

DOCUMENT	PAGE NO.	SECTION/ DEFINITION/ PORTION OF PAGE	STATUTORY JUSTIFICATION
Petitioners' Response to Staff's Interrogatory No. 120	Page 1 of response, Table entitled Case: Base Scenario: Resale @ Full Contract Price	The six columns of numeric data headed GRU Native Assets, Market, and GREC	§ 366.093(3)(d)&(e), Fla. Stat. – confidential, proprietary business information §§ 812.081(2) & 815.045, Fla. Stat. – trade secret information
Petitioners' Response to Staff's Interrogatory No. 120	Page 2 of response, Table entitled Case: Base Scenario: GREC with Off-System Sales	The six columns of numeric data headed GRU Native Assets, Market, and GREC	§ 366.093(3)(d)&(e), Fla. Stat. – confidential, proprietary business information §§ 812.081(2) & 815.045, Fla. Stat. – trade secret information
Petitioners' Response to Staff's Interrogatory No. 120	Page 3 of response, Table Entitled Case: Regulated CO2 Scenario: Resale @ Full Contract Price	The six columns of numeric data headed GRU Native Assets, Market, and GREC	§ 366.093(3)(d)&(e), Fla. Stat. – confidential, proprietary business information §§ 812.081(2) & 815.045, Fla. Stat. – trade secret information
Petitioners' Response to Staff's Interrogatory No. 120	Page 4 of response, Table entitled Case: Regulated CO2 Scenario: GREC with Off-System Sales	The six columns of numeric data headed GRU Native Assets, Market, and GREC	§ 366.093(3)(d)&(e), Fla. Stat. – confidential, proprietary business information §§ 812.081(2) & 815.045, Fla. Stat. – trade secret information
Petitioners' Response to Staff's Interrogatory No. 120	Page 5 of response, Table entitled Case: Delay until 2015, no ITCs/REG Scenario: Resale @ Full Contract Price	The six columns of numeric data headed GRU Native Assets, Market, and GREC	§ 366.093(3)(d)&(e), Fla. Stat. – confidential, proprietary business information §§ 812.081(2) & 815.045, Fla. Stat. – trade secret information
Petitioners' Response to Staff's Interrogatory No. 120	Page 6 of response, Table entitled Case: Delay until 2015, no ITCs/REG Scenario: GREC with Off-System Sales	The six columns of numeric data headed GRU Native Assets, Market, and GREC	§ 366.093(3)(d)&(e), Fla. Stat. – confidential, proprietary business information §§ 812.081(2) & 815.045, Fla. Stat. – trade secret information

DOCUMENT NUMBER-DATE

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REDACTED

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EXHIBIT B (REDACTED)

TWO COPIES

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DOCUMENT NUMBER-DATE

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AEO 2010 Fuel Price Forecast; no RECs

Year	Case: Base				Scenario: Resale @ Full Contract Price									
	All Costs are in Present Worth (2009\$, \$000)				GRU Native Assets		Market		GREC		Environmental		Total	
	Capital & Fixed O&M Expenses	Fuel & Variable O&M Expenses	Purchased Power	Power Sales	Contract Payments	Power Resale	Expenses	REC Sales	Annual Value	Cumulative Value				
2014									227,719	227,719				
2015									222,970	450,689				
2016									211,872	662,561				
2017									215,875	878,436				
2018									212,547	1,090,983				
2019									211,465	1,302,448				
2020									207,836	1,510,283				
2021									205,393	1,715,676				
2022									202,134	1,917,810				
2023									212,354	2,130,165				
2024									209,985	2,340,149				
2025									206,997	2,547,147				
2026									202,898	2,750,045				
2027									200,310	2,950,356				
2028									197,634	3,147,989				
2029									195,517	3,343,507				
2030									192,243	3,535,749				
2031									248,454	3,784,204				
2032									256,068	4,040,292				
2033									253,037	4,293,329				
2034									250,805	4,543,933				
2035									248,584	4,792,527				
2036									245,498	5,038,025				
2037									244,783	5,282,807				
2038									248,025	5,530,832				
2039									248,777	5,779,610				
2040									243,473	6,023,082				
2041									241,414	6,264,497				
2042									239,229	6,503,726				
2043									237,506	6,741,231				
Sum									6,738,231					

AEO 2010 Fuel Price Forecast; no RECs

Year	Case: Base				Scenario: GREC with Off-System Sales					
	GRU Native Assets		Market		GREC		Environmental		Total	
	Capital & Fixed O&M Expenses	Fuel & Variable O&M Expenses	Purchased Power	Power Sales	Contract Payments	Power Resale	Expenses	REC Sales	Annual Value	Cumulative Value
2014									243,079	243,079
2015									239,267	482,346
2016									227,182	709,528
2017									229,140	938,668
2018									224,182	1,162,849
2019									221,231	1,384,080
2020									216,715	1,600,795
2021									212,626	1,813,421
2022									207,879	2,021,300
2023									203,683	2,224,982
2024									200,611	2,425,594
2025									206,997	2,632,591
2026									202,898	2,835,490
2027									200,310	3,035,800
2028									197,634	3,233,434
2029									195,517	3,428,951
2030									192,243	3,621,193
2031									248,454	3,869,648
2032									256,088	4,125,736
2033									253,037	4,378,773
2034									250,605	4,629,378
2035									248,594	4,877,971
2036									245,498	5,123,469
2037									244,783	5,368,252
2038									248,025	5,616,278
2039									245,777	5,862,054
2040									243,473	6,105,527
2041									241,414	6,346,941
2042									239,229	6,586,170
2043									237,506	6,823,675
Sum									-	-
									6,823,675	

AEO 2010 Fuel Price Forecast; no RECs

Year	Case: Regulated CO2				Scenario: Resale @ Full Contract Price					
	GRU Native Assets		Market		GREC		Environmental		Total	
	Capital & Fixed O&M Expenses	Fuel & Variable O&M Expenses	Purchased Power	Power Sales	Contract Payments	Power Resale	Expenses	REC Sales	Annual Value	Cumulative Value
2014									256,461	256,461
2015									253,775	510,236
2016									244,694	754,930
2017									251,068	1,005,998
2018									249,734	1,255,732
2019									251,696	1,507,428
2020									250,500	1,757,929
2021									251,122	2,009,051
2022									250,694	2,259,745
2023									254,966	2,514,711
2024									255,635	2,770,345
2025									255,990	3,026,336
2026									254,557	3,280,893
2027									255,676	3,536,569
2028									256,214	3,792,783
2029									258,331	4,051,114
2030									258,552	4,309,666
2031									291,106	4,600,772
2032									297,505	4,898,277
2033									295,724	5,194,001
2034									297,345	5,491,346
2035									296,794	5,788,140
2036									296,134	6,086,274
2037									299,176	6,385,450
2038									309,430	6,694,880
2039									308,617	7,003,498
2040									312,470	7,315,967
2041									311,991	7,627,959
2042									316,770	7,944,729
2043									316,757	8,261,486
Sum									-	8,261,486

AEO 2010 Fuel Price Forecast; no RECs

Year	Case: Regulated CO2				Scenario: GREC with Off-System Sales					
	All Costs are in Present Worth (2009\$, \$000)									
	GRU Native Assets		Market		GREC		Environmental		Total	
Capital & Fixed O&M Expenses	Fuel & Variable O&M Expenses	Purchased Power	Power Sales	Contract Payments	Power Resale	Expenses	REC Sales	Annual Value	Cumulative Value	
2014								264,727	264,727	
2015								262,974	527,701	
2016								252,257	779,957	
2017								256,111	1,036,068	
2018								252,941	1,289,009	
2019								252,274	1,541,283	
2020								249,312	1,790,595	
2021								247,247	2,037,843	
2022								244,439	2,282,282	
2023								242,703	2,524,984	
2024								242,066	2,767,050	
2025								255,990	3,023,041	
2026								254,557	3,277,598	
2027								255,676	3,533,274	
2028								256,214	3,789,488	
2029								258,331	4,047,819	
2030								258,552	4,306,371	
2031								291,106	4,597,477	
2032								297,505	4,894,982	
2033								295,724	5,190,706	
2034								297,345	5,488,051	
2035								296,794	5,784,845	
2036								298,134	6,082,979	
2037								299,176	6,382,155	
2038								309,430	6,691,585	
2039								308,617	7,000,203	
2040								312,470	7,312,672	
2041								311,991	7,624,664	
2042								316,770	7,941,434	
2043								316,757	8,258,191	
Sum								-	8,258,191	

AEO 2010 Fuel Price Forecast; no RECs

Year	Case: Delay until 2015, no ITCs/REG				Scenario: Resale @ Full Contract Price					
	All Costs are in Present Worth (2009\$, \$000)									
	GRU Native Assets		Market		GREC		Environmental		Total	
Capital & Fixed O&M Expenses	Fuel & Variable O&M Expenses	Purchased Power	Power Sales	Contract Payments	Power Resale	Expenses	REC Sales	Annual Value	Cumulative Value	
2014								212,806	212,806	
2015								225,465	438,270	
2016								214,272	652,543	
2017								218,172	870,714	
2018								214,751	1,085,465	
2019								213,581	1,299,046	
2020								209,872	1,508,918	
2021								207,342	1,716,259	
2022								204,004	1,920,263	
2023								215,844	2,136,207	
2024								213,439	2,349,646	
2025								210,303	2,559,949	
2026								206,071	2,766,020	
2027								203,355	2,969,375	
2028								200,584	3,169,939	
2029								198,321	3,368,260	
2030								194,934	3,563,194	
2031								251,037	3,814,231	
2032								258,574	4,072,804	
2033								255,415	4,328,220	
2034								252,888	4,581,108	
2035								250,784	4,831,892	
2036								247,806	5,079,498	
2037								246,900	5,326,298	
2038								249,961	5,576,259	
2039								247,836	5,823,895	
2040								245,261	6,069,156	
2041								243,126	6,312,282	
2042								240,872	6,553,154	
2043								239,082	6,792,236	
Sum								6,792,236		

AEO 2010 Fuel Price Forecast; no RECs

Year	Case: Delay until 2015, no ITC/REG				Scenario: GREC with Off-System Sales					
	All Costs are in Present Worth (2009\$, \$000)									
	GRU Native Assets		Market		GREC		Environmental		Total	
	Capital & Fixed O&M Expenses	Fuel & Variable O&M Expenses	Purchased Power	Power Sales	Contract Payments	Power Rental	Expenses	REC Sales	Annual Value	Cumulative Value
2014									212,806	212,806
2015									244,256	457,061
2016									231,983	689,044
2017									233,734	922,778
2018									228,591	1,151,368
2019									225,462	1,376,831
2020									220,787	1,597,618
2021									216,523	1,814,140
2022									211,619	2,025,759
2023									207,272	2,233,031
2024									204,066	2,437,097
2025									210,303	2,647,400
2026									206,071	2,853,471
2027									203,355	3,056,826
2028									200,564	3,257,390
2029									198,321	3,455,711
2030									194,834	3,650,545
2031									251,037	3,901,582
2032									258,574	4,160,256
2033									255,415	4,415,671
2034									252,888	4,668,558
2035									250,784	4,919,343
2036									247,606	5,166,949
2037									246,800	5,413,749
2038									249,961	5,663,710
2039									247,636	5,911,346
2040									246,261	6,156,607
2041									243,126	6,399,733
2042									240,872	6,640,605
2043									239,082	6,879,687
Sum									6,879,687	

DOCKET 090451-EM

EXHIBIT D

AFFIDAVIT OF JOSHUA H. LEVINE

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition to Determine Need
For the Gainesville Renewable Energy
Center in Alachua County by Gainesville
Regional Utilities and Gainesville Renewable
Energy Center, LLC

DOCKET # 090451-EM

Filed: April 23, 2010

STATE OF FLORIDA)
COUNTY OF ALACHUA)

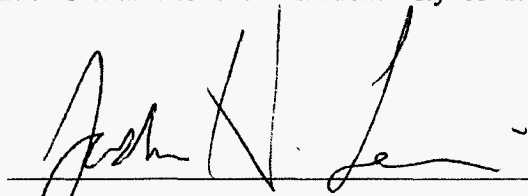
BEFORE ME, the undersigned authority, Joshua H. Levine personally appeared who, being first duly sworn deposes and says:

1. My name is Joshua H. Levine. I am currently employed by American Renewables, LLC. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the document and information included in Exhibit C to Petitioners' Request for Confidential Classification. The documents and materials in Exhibit C are proprietary confidential business information, the disclosure of which would impair GREC LLC's competitive interests in its negotiations with potential purchasers of renewable energy from other projects being developed by GREC LLC, and would also impair GREC LLC's ability to contract for goods and services on favorable terms. Disclosure of this information would directly impair the competitive business of GREC LLC. GREC LLC treats this information as private, confidential, proprietary business information, and GREC LLC has not disclosed the subject information except pursuant to confidentiality agreements that protect the information from public disclosure.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 18 months. In addition, they should be returned to Petitioners as soon as the information is no longer necessary for the Commission to conduct its business so that Petitioners can continue to maintain the confidentiality of these documents.

Affiant says nothing further.



SWORN TO AND SUBSCRIBED before me this 20 day of April, 2010, by Joshua H. Levine, who is personally known to me or who has produced, _____ (type of identification) as identification and who had taken an oath.

Rita K. Strother
Notary Public
My Commission Expires: May 12, 2012

