

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: November 3, 2016

TO: Margo A. Leathers, Attorney, Office of the General Counsel

FROM: Clyde D. Rome, Public Utility Analyst II, Division of Economics *CDR*

RE: Docket No. 160175-GU: Petition for review and determination on the project construction and gas transportation agreement between NUI Utilities, Inc. d/b/a City Gas Company of Florida and Florida Crystals Corporation, and approval of an interim service arrangement.

Request for Confidential Classification for Document No. 08582-16

On November 1, 2016, Florida City Gas (FCG), d/b/a City Gas Company of Florida filed a request for confidential classification for Document No. 08582-16. This document contains FCG's responses to staff's first data request in the subject docket. The information in the document for which FCG seeks confidential treatment relates to customer-specific information regarding rates, terms, forecasted gas transportation volumes and revenues, and conditions of service arrangements from which the quantities could be arithmetically determined and could be used by others to gain unfair competitive advantage in the market. Staff has reviewed the document and concurs with FCG that the nature of the information meets the requirements set forth in Sections 366.093(3)(d) and (e), Florida Statutes (F.S.), whereby the disclosure of the information would harm the competitive business operations of FCG.

Therefore, staff recommends that the request by FCG for confidential classification of Document No. 08582-16 be approved. Staff notes that the petitioner also stated that Section 366.093(3)(a), F.S., would apply to the information; however, staff did not evaluate the applicability of this statutory provision since the nature of the information meets the requirements set forth in Sections 366.093(3)(d) and (e), F.S.

✓ cc: Office of Commission Clerk

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DATE: November 3, 2016

TO: Division of Economics, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 160175-GU DOCUMENT NO: 08582-16
DESCRIPTION: FCG (Self) - (CONFIDENTIAL) Response to staff's first data request; specifically Exhs 2A, 3A (2016) to 3A (2031), attachment DR6 and data responses 1, 3, 5, 8, 11, and 12.
SOURCE: Florida City Gas

The above confidential material was filed along with a request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (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 information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Clyde Donald Remy, Jr. on 11/3/16, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.