



DEPARTMENT OF THE AIR FORCE
OFFICE OF THE JUDGE ADVOCATE GENERAL
OPERATIONS AND INTERNATIONAL LAW

VIA FEDERAL EXPRESS

October 12, 2022

Mr. Adam Teitzman, Clerk
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

REDACTED

Re: Docket No. 20220069-GU – Federal Executive Agencies’ Request for Confidential Classification

Dear Mr. Teitzman:

Enclosed for filing in the above docket is Federal Executive Agencies (“FEA”) Request for Confidential Classification of Information contained in its response to the Staff of the Florida Public Service Commission’s (“Staff”) First Request for Production of Documents (No. 1). This request includes Exhibits A, B, C, and D.

Exhibit A consists of confidential documents that are the subject of FEA’s Request for Confidential Classification. Documents in Exhibit A are voluminous and confidential in their entirety, and they are being provided electronically on a disk. Exhibit B is an edited version of Exhibit A, in which the information FEA asserts to be confidential has been redacted. The documents contained in Exhibit B are confidential in their entirety, and FEA has included only an identifying cover page. Exhibit C is a justification table in support of FEA’s Request for Confidential Classification Exhibit D contains the declaration in support of FEA’s Request. In accordance with Rule 25-22.006(3)(d), FEA requests confidential treatment of the information in Exhibit A pending disposition of FEA’s Request for Confidential Classification.

Please contact me if you have any questions. Thank you for your assistance with this filing.

Sincerely,

By: /s/ Marcus Duffy
Marcus Duffy, Capt, USAF
Holly L. Buchanan, Maj, USAF
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2022 OCT 12 AM 10:25
COMMISSION
CLERK

Counsel for FEA

Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Rate Increase by) DOCKET NO. 20220069-GU
Florida City Gas) FILED: October 12, 2022
)

FEDERAL EXECUTIVE AGENCIES'
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION
CONTAINED IN ITS RESPONSE TO STAFF'S FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS (NO.1)

Pursuant to sections 366.093(3), Florida Statutes, and Rule 25-22.006(6)(c), Florida Administrative Code, Federal Executive Agencies (FEA), hereby request confidential classification of certain information provided in its response to Staff's First request for Production of Documents No. 1, (referred to here as the "Confidential Information"). In support of its Request, FEA states as follows:

1. FEA served its response to Staff's First Request for Production of Documents on October 12, 2022. This request is being filed contemporaneously with service of that response to request confidential classification of certain information contained in its response to Staff's First Request for Production of Documents (No. 1) consistent with Rule 25-22.006, Florida Administrative Code. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a copy of the confidential material on which are voluminous and confidential in their entirety and are provided in electronic format on a disk.

b. Exhibit B is an edited version of Exhibit A, in which the information FEA asserts to be confidential has been redacted. The documents contained in Exhibit B are confidential in their entirety, and FEA has included only an identifying cover page.

C. Exhibit C is a table that identifies by column and line the information for which confidential treatment is being sought and references the specific statutory basis for the claim of confidentiality. Exhibit C also identifies the declarant who supports the requested classification.

D. Exhibit D contained the declaration of Christopher C. Walters in support of this requested classification.

2. The Confidential Information is intended to be and has been treated by FEA as private, its confidentiality has been maintained, and its disclosure would cause harm to FEA. Pursuant to Section 366.093, F.S., such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

3. As described in the declaration included in Exhibit D, the Confidential Information that is attached contains information relating to competitive interest, the disclosure of which would impair the competitive business for the provider of the information. Specifically, the Confidential Information that is the subject of this Request involves financial reports that were obtained through paid subscription services. This information is protected by Section 366.093(3)(e), F.S.

4. Upon a finding by the Commission that the Confidential Information is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FEA as soon as the information is no longer necessary for the Commission to conduct its business. See Section 366.093(4), F.S.

Wherefore, for the above and foregoing reasons, as more fully set forth in the supporting materials, FEA respectfully request that its Request for Confidential Classification be granted.

Respectfully submitted this 12th day of October, 2022.

Attorneys for Federal Executive Agencies

By: /s/ Marcus Duffy
Marcus Duffy, Capt, USAF
Holly L. Buchanan, Maj, USAF
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(850) 283-6348
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by

Electronic Mail to the following parties of record this 12th day of October 2022:

Florida Public Service Commission Office of the General Counsel Matthew Jones Walter Trierweiler 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850 majones@psc.state.fl.us wtrierwe@psc.state.fl.us	Florida Power & Light Company Christopher T. Wright Joel Baker 700 Universe Boulevard Juno Beach, FL 33408 (561) 691-7144 (561) 691-7135 christopher.wright@fpl.com joel.baker@fpl.com
Office of Public Counsel Richard Gentry Mary A. Wessling c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 Gentry.richard@leg.state.fl.us Wessling.mary@leg.state.fl.us	Florida City Gas Gunster Law Firm Beth Keating 215 South Monroe St., Suite 601 Tallahassee, FL 32301 (850) 521-1706 bkeating@gunster.com

/s/ Ebony M. Payton

Ebony M. Payton
Paralegal for FEA

EXHIBIT B

REDACTED

**The documents responsive to Staff's First Set of
Production of Documents No.1, Bates Nos 000366 -
001652 are confidential in their entirety.**

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Executive Agencies
TITLE: Petition by Florida City Gas for Rate Increase.

DOCKET NO.: 20220069-GU
DATE: October 12, 2022

Int/POD No	Description	Bates Nos	Page No. Line / Column	Florida Statue 366.093(3) Subsection	Declarants
Staff's 1st POD, No. 1	CCW Confidential Workpapers	000366-001652	All	(e)	Christopher C. Walters

EXHIBIT D

DECLARATION

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida City
Gas.

DOCKET NO. 20220069-GU

DATED: OCTOBER 12, 2022

DECLARATION OF CHRISTOPHER C. WALTERS

1. My name is Christopher C. Walters. I am a consultant in the field of public utility regulations and an Associate with the firm of Brubaker and Associates, Inc. ("BAI"). I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in Federal Executive Agencies ("FEA") Request for Confidential Classification, specifically the materials provided in response to the Staff of the Florida Public Service Commission's ("Staff") First Request for Production of Documents, No. 1. BAI has subscriptions with numerous third-party subscription based services as well as permission of certain authors to reproduce, for limited purposes certain financial works. The information in these publications was and/or is developed by the third parties and contains descriptions and explanations; or uniquely by the third party. It is my understanding that these third parties consider the information contained in their materials to be proprietary in nature. Further, the third parties control access to the materials contained in the workpapers through the paid subscriptions, or other special arrangements, and that they are not made for use by the general public. In numerous jurisdictions in which I have appeared as a witness, parties on whose behalf I have testified on, have sought, and been granted, confidential treatment of these, and similar materials. To the best of my knowledge, FEA has maintained the confidentiality of these documents and materials.

3. Under penalties of perjury, I declare that I have read the foregoing declaration and that the facts stated in it are true to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to read "C. Walters". The signature is written in a cursive style with a large initial "C" and a stylized "W".

Christopher C. Walters

Date: October 12, 2022