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June 5, 2023

VIA HAND DELIVERY

Mr. Adam J. Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 20230023-GU; Petition for Rate Increase by Peoples Gas System, Inc.

Docket No. 20220219-GU; Peoples Gas System's Petition for Rate Approval of 2022 Depreciation Study

Docket No. 20220212-GU; Peoples Gas System's Petition for Approval of Depreciation Rate and Subaccount for Renewable Natural Gas Facilities Leased to Others

Dear Mr. Teitzman:

Enclosed for filing in the above docket is Peoples Gas System, Inc.'s Request for Confidential Classification of certain information contained in its Response to Staff's Second Interrogatories (Nos. 19 and 22) served on May 12, 2023.

Thank you for your assistance in connection with this matter.

Sincerely,

A handwritten signature in blue ink that reads 'V. Ponder'.

Virginia Ponder

VLP/ne
Attachment

cc: All parties of record (w/att.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for Rate Increase by Peoples Gas System, Inc.	DOCKET NO. 20230023-GU
Peoples Gas System's Petition for Rate Approval of 2022 Depreciation Study	DOCKET NO. 20220219-GU
Peoples Gas System's Petition for Approval of Depreciation Rate and Subaccount for Renewable Natural Gas Facilities Leased to Others	DOCKET NO. 20220212-GU FILED: June 5, 2023

**PEOPLES GAS SYSTEM INC.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Peoples Gas System, Inc. ("Peoples" or "the company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests confidential classification of the yellow highlighted information contained in the following described document(s) ("the Document(s)") stamped "CONFIDENTIAL" and all information that is or may be printed on yellow paper stock stamped "CONFIDENTIAL" within the Document(s), all of said confidential information being hereinafter referred to as "Confidential Information.").

Description of the Document(s)

On June 1, 2023, Peoples filed its responses to Staff's Second Set of Interrogatories (No. 9-22) and Second Request for Production of Documents (Nos. 2-5). The company believes that portions of its responses to Staff's Second Set of Interrogatories, as specified on Exhibit "A," constitute confidential information ("Confidential Information") and has designated it as such by highlighting. Peoples' requests confidential classification for this information such that it will be entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes. In support of this request, the company states:

1. Subsection 366.093(1), Florida Statutes, provides that any records “found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records Act].” Proprietary confidential business information includes but is not limited to: (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 the information; and (f) employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. §366.093(3)(a)-(f), Fla. Stat. The Confidential Information that is the subject of this request and motion falls within one or more of these statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

2. Attached hereto as Exhibit "A" is a justification for confidential treatment of the Confidential Information contained in the Documents.

3. The public versions of the Documents with the Confidential Information are included as Exhibit B.

4. The Confidential Information contained in the Documents is intended to be and is treated by Peoples as private and has not been publicly disclosed.

5. For the same reasons set forth herein in support of its request for confidential classification, Peoples also moves the Commission for entry of a Temporary Protective Order pursuant to Rule 25-22.006(6)(a) of the Florida Administrative Code.

Requested Duration of Confidential Classification

6. Pursuant to Rule 25-22.006(9)(a), Peoples requests that the Confidential Information be treated by the Commission as confidential proprietary business information for 18 months. If, and to the extent that the company is in need of confidential classification of the Confidential Information beyond the 18-month period set forth in the Commission rule, the justification and grounds for such extended confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Peoples Gas System, Inc. respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein and for 18 months.

DATED this 5th day of June 2023.

Respectfully submitted,



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ATTORNEYS FOR PEOPLES GAS SYSTEM, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion, filed on behalf of Peoples Gas System, Inc., has been furnished by electronic mail on this 5th day of June, 2023 to the following:

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ATTORNEY

**EXHIBIT A
JUSTIFICATION FOR CONFIDENTIAL TREATMENT**

<u>Document</u>	<u>Page</u>	<u>Line/Row</u>	<u>Rationale</u>
Table provided in the company’s response to Staff’s second set of interrogatories, Number 19.	Bates Page 14	Entire Document	(1)
Text within the company’s response to Staff’s second set of interrogatories, Number 22, Docket No. 20220212, c.	Bates Page 53	Highlighted portions.	(2)

(1) The confidential information contained in this column consists of the proprietary work product of certain banking institutions. Public disclosure of this information would allow duplication of these entity’s work without compensation for their efforts. This information is in the nature of a trade secret owned by such entities and disclosure of this information would impair their competitive business interests by revealing competitive pricing related information. This information is protected by Section 366.093(3)(a) and (e) of the Florida Statutes.

(2) The highlighted information consists of negotiated, non-standard contractual terms regarding Peoples’ rights and remedies under the project agreements. This constitutes “[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility to contract for goods or services on favorable terms.” Section 366.093(3)(d), Florida Statutes. It also constitutes “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information” under Section 366.093(3)(e), Florida Statutes. This information is accordingly entitled to confidential protection pursuant to 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

EXHIBIT B
PUBLIC VERSION(S) OF THE DOCUMENT(S)

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document(s) with the Confidential Information redacted.

Public Version(s) of the Document(s) attached X

Public Version(s) of the Document(s) attached in CD format

CONFIDENTIAL MATERIAL REDACTED

BATES STAMPED PAGE 14

REDACTED

**PEOPLES GAS SYSTEM, INC.
DOCKET NO. 20220212-GU
DOCKET NO. 20220023-GU
STAFF'S THIRD DATA REQUEST
REQUEST NO. 1
BATES PAGE(S): 1
FILED: APRIL 14, 2023
UPDATED: JUNE 5, 2023**

1. Referring to PGS's instant Petition filed in the above docket, Paragraphs 20 and 21, as well as the Company's response to Staff's First Data Request, No. 6(c), please clarify who will be responsible for the recovery of the remaining (undepreciated) portion of the RNG plant, the shareholders or the general body of ratepayers of PGS, if, for any reason, the "series of agreements with Brightmark Sobek RNG LLC" that PGS entered into, are contested or dissolved before the agreed-upon term of 15-years.

- A. The consequences of a project "dissolution" would vary depending on when that dissolution occurs.

The first project agreement is the Purchase and Sale Agreement. Under this agreement, Brightmark will construct four anaerobic digesters, two biogas upgrade facilities, interconnecting pipeline structures, and other related structures. Peoples will then purchase these structures from Brightmark. Peoples and Brightmark have not closed on the Purchase and Sale Agreement at this time.

If the project terminates prior to closing on the Purchase and Sale Agreement, Peoples will not incur the purchase price under that Agreement and would be reimbursed for [REDACTED]. In this scenario, Peoples would propose adjustments to the 2024 projected year rate base and net operating income, if necessary.

If the parties close on the Purchase and Sale Agreement and the project is terminated at some point in the future, Peoples would utilize all available rights and remedies under the lease agreement, RNGSA, and parent company guaranty agreements to protect the ratepayers, [REDACTED]

[REDACTED]. Dissolution of the project would not necessarily trigger the need for rate relief unless the company's earnings fell below the authorized range. If the company did file a general base rate case following dissolution of the project, the Commission could then make any necessary adjustments to the company's cost recovery for the project.