

Attorneys and Counselors at Law
123 South Calhoun Street
P.O. Box 391 32302
Tallahassee, FL 32301

P: (850) 224-9115
F: (850) 222-7560

ausley.com



July 11, 2023

VIA HAND DELIVERY

RECEIVED-FPSC
2023 JUL 11 PM 4:00
COMMISSION
CLERK

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

REDACTED

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

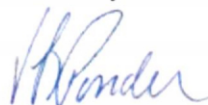
Docket No. 20220212-GU; Peoples Gas System's Petition for Approval of Depreciation Rate and Subaccount for Renewable Natural Gas Facilities Leased to Others

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 portions of the June 1, 2023 deposition transcript and exhibits of Lew Rutkin, Jr. Also enclosed in CD format are the public (redacted) version of these documents.

Thank you for your assistance in connection with this matter.

Sincerely,


Virginia Ponder

COM _____
AFD I redacted (CD)
APA _____
ECO _____
ENG _____
GCL _____
IDM _____
CLK _____

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: July 11, 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 29, 2023, Peoples filed a Notice of Intent to Request Confidential Classification for portions of the deposition transcript of Lew Rutkin. *See* DN 03863-2023. Pursuant to this Notice of Intent, Peoples identified certain portions of Mr. Rutkin's deposition transcript as specified on Exhibit "A," that it believes 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 out above, Peoples also requests a Temporary Protective Order for the Confidential Information.

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 11th day of July, 2023.

Respectfully submitted,



J. JEFFRY WAHLEN
jwahlen@ausley.com
MALCOLM N. MEANS
mmeans@ausley.com
VIRGINIA PONDER
vponder@ausley.com
Ausley McMullen
Post Office Box 391
Tallahassee, Florida 32302
(850) 224-9115

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 11th day of July, 2023 to the following:

Major Thompson
Ryan Sandy
Austin Watrous
Daniel Dose
Chasity Vaughan
Danyel Sims
Office of General Counsel
Florida Public Service Commission
Room 390L – Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
rsandy@psc.state.fl.us
mthomps@psc.state.fl.us
awatrous@psc.state.fl.us
ddose@psc.state.fl.us
dsims@psc.state.fl.us
cvaughan@psc.state.fl.us

Amber Norris
Dylan Andrews
Division of Accounting and Finance
Florida Public Service Commission
Room 160B – Gerald L. Gunter Bldg.
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
amnorris@psc.state.fl.us
dandrews@psc.state.fl.us

Jon C. Moyle, Jr.
Karen A. Putnal
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, Florida 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com

Walt L. Trierweiler
Charles J. Rehwinkel
Patricia A. Christensen
Mary A. Wessling
Office of Public Counsel
111 West Madison Street – Room 812
Tallahassee, FL 32399-1400
trierweiler.walt@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
christensen.patty@leg.state.fl.us
wessling.mary@leg.state.fl.us



ATTORNEY

EXHIBIT A
CONFIDENTIAL DEPOSITION OF LEW RUTKIN
JUSTIFICATION FOR CONFIDENTIAL TREATMENT

<u>Document</u>	<u>Page</u>	<u>Line/Row</u>	<u>Justification</u>
Transcript	5	12	(1)
Transcript	23	3, 24	(1)
Transcript	83	9, 18, 20, 22	(2)
Transcript	84	3,5-7	(2)
Transcript	123	18, 21-23	(2)
Transcript	130	20-22	(1)
Transcript	132	19 and 23	(1)
Transcript	133	17-18, 20-21	(1)
Transcript	134	6,7, 10 and 21	(1)
Transcript	135	1, 3, 11, 13, 16,23 and 25	(1), (3)
Transcript	136	3 and 5	(3)
Transcript	137	9	(3)
Transcript	139	23 and 25	(3)
Transcript	140	18	(1)
Transcript	145	21 and 23	(3)
Transcript	149	24	(3)
Transcript	150	3, 20, 24 and 25	(3)
Transcript	151	4-7, 10, 14, 18-20, 22-23, and 25	(3)
Transcript	152	6,7,11,14,16-18, 24 and 25	(3)
Transcript	153	1,6	(3)
Transcript	156	17, 18, 23 and 24	(1), (3)
Transcript	159	21	(1)
Transcript	160	1-4, and 16	(1)
Transcript	161	2, 7, 8, 12, 18,19 22 and 23	(1)
Transcript	162	12 and 21	(1)
Transcript	163	13 and 18	(1)
Transcript	164	5, 23 and 25	(1)

Document	Page	Line/Row	Justification
Transcript	165	13	(1)
Transcript	166	2 and 24	(1)
Transcript	167	1, 6, 11 20 and 24	(1)
Transcript	168	3, 11 and 14	(1)
Transcript	169	16 and 23	(1)
Transcript	179	11	(1)
Transcript	180	6 and 12	(1)
Transcript	203	19-21	(2)
Transcript	204	8 and 9	(2)
Transcript	228	8	(2)
Transcript	234	20-23,25	(3)
Transcript	235	1, 7 and 9	(3)

Deposition Exhibits				
Exhibit	Document Description	Bates Pages	Description of information	Justification
2	PGS board presentation originally produced in response to OPC's 1st Request for Production No. 37	15787-15804	The Highlighted Text	(3)
7	Brightmark Renewable Natural Gas Service Agreement	N/A	The Highlighted Text	(2)
8	PGS board presentation originally produced in response to OPC's 1st Request for Production No 37	019684-019712	The Highlighted Text	(3)
10	Summary of Key RNG Agreements	N/A	The Highlighted Text	(3)
11	PGS board presentation originally produced in response to OPC's 1st Request for Production No 37	16469-16474	The Highlighted Text	(3)
12	PGS board presentation originally produced in response to OPC's 1st Request for Production No 37	16165-16185	The Highlighted Text	(3)
13	PGS board presentation originally produced in response to OPC's 1st Request for Production No 37	020600	The Highlighted Text	(3)
14	Document originally produced in response to OPC's 2nd Request for Production No. 57	31-32	The Highlighted Text	(3)
LF 16	Update of Bates Page 019706 in Exhibit 8	N/A	The Highlighted Text	(3)
LF 17	Updated list of potential pipeline projects from June 2022 PGS board presentation	N/A	The Highlighted Text	(3)
18	PGS board presentation originally produced in response to OPC's 1st Request for Production No 37	020645	The Highlighted Text	(3)

- (1) This information consists of the identities of current or potential individual Peoples customers. The highlighted text thus constitutes "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information" that constitutes proprietary confidential business information under Section 366.093(3)(e), Florida Statutes.
- (2) This information consists of the terms of the project agreements for the company's RNG projects. The highlighted text thus constitutes "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” that constitutes proprietary confidential business information under Section 366.093(3)(d), Florida Statutes.

- (3) This information consists of the content of Peoples Gas board strategy meeting presentations. The highlighted text thus constitutes “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information” that constitutes proprietary confidential business information under Section 366.093(3)(e), Florida Statutes.

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 _____

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