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Suite 1200
106 East College Avenue
Tallahassee, FL 32301

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December 30, 2008

VIA HAND DELIVERY

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 080672-GU – Petition for Approval of a Special Gas Transportation Agreement with Miami-Dade County by Florida City Gas

Dear Ms. Cole:

Enclosed for filing is an original and seven (7) copies of Florida City Gas's Notice of Intent to Request Confidential Classification along with a diskette containing an electronic version of the filing. A separate envelope containing confidential documents related to the filing is also enclosed.

Your assistance in this matter is greatly appreciated. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Matthew Feil

COM _____

ECR _____

GCL 2 + CD

OPC _____

RCP _____

SSC _____

SGA _____

ADM _____

CLK I

This docketed notice of intent was filed with Confidential Document No. 11956-08 The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

{TL179177;1}Enclosures

DOCUMENT NUMBER-DATE

11955 DEC 30 08

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of a Special)
Gas Transportation Agreement with Miami-)
Dade County by Florida City Gas)
_____)

Docket No. 080672-GU
Filed: December 30, 2008

**FLORIDA CITY GAS'S NOTICE OF
INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION**

Florida City Gas ("FCG" or "Company")¹ pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby submits this Notice of Intent to Request Confidential Classification for certain portions of the Company's responses to staff's informal data requests to the Company. A copy of said data requests is attached hereto as "Exhibit A." Further, the responsive documents have been provided herewith in a separate envelope. Said documents contain confidential information regarding FCG's business, the disclosure of which could negatively impact the Company. FCG maintains this information as confidential information, and attests that it has not otherwise been publicly disclosed.

In accordance with Rule 25-22.006(3), Florida Administrative Code, FCG will file its Request for Confidential Treatment of the information referenced herein within twenty-one (21) days of filing of this request. FCG, therefore, respectfully requests that the information referenced herein be maintained as confidential information by the Commission in accordance with Rule 25-22.006, Florida Administrative Code.

¹ Florida City Gas is an operating division of Pivotal Utility Holdings, Inc.
{TL176686;1}

DOCUMENT NUMBER-DATE

11955 DEC 30 08

FPSC-COMMISSION CLERK

Respectfully submitted this 30th day of December, 2008.

By: 

Matthew Feil

AKERMAN SENTERFITT

106 East College Avenue, Suite 1200

Tallahassee, FL 32301

(850) 425-1614

(850) 222-0103

matt.feil@akerman.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Request has been served upon the following by Hand Delivery (*) and/or U.S. Mail this 30th day of December, 2008.

Martha C. Brown*
Anna Williams *
Office of the General Counsel
Room 370, Gunter Building
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Connie Kummer
Chief
Bureau of Certification, Economics & Tariffs
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

By: 
Matthew Feil
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
Tallahassee, FL 32301
(850) 425-1614
(850) 222-0103
matt.feil@akerman.com

Staff Data Request
Docket No. 080672-GU
November 18, 2009

1. On page 5 of the petition, paragraph 11, you assert that FCG will recover its cost to serve Miami-Dade County at the proposed rates. Please provide calculations showing the cost to provide the service as described in the contract, and the derivation of the proposed rate.
2. Please explain the derivation of the maximum annual contract quantity (MACQ) for each site and why such a maximum is necessary.
3. Please explain the derivation of the minimum annual volume and maximum daily quantity of gas specified and why such limits are necessary.
4. Please describe how the loss of the Miami-Dade County would impact the general body of ratepayers if the contract is not approved.
5. What other options does Miami-Dade Count have to secure gas, if the contract is not approved?
6. What is the purpose for the new language on page 11, Article XIII, Miscellaneous, paragraph 6, of the new contract? What additional protection does it provide over the previously included Force Majeure language?

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: January 5, 2009

TO: Matthew Feil, Esquire/Akerman Senterfitt

FROM: Marguerite H. McLean, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080672-GU (DN 11956-08) or, if filed in an undocketed matter, concerning certain portions of responses to staff's informal data requests., and filed on behalf of Florida City Gas. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite McLean, Deputy Clerk, at (850) 413-6770.