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IN REPLY REFER TO:

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February 27, 2009

## VIA FEDEX

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

RECEIVED-FPSC  
09 MAR -2 PM 3:42  
COMMISSION  
CLERK

**Re: Docket No. 080318-GU -- Petition for rate increase by Peoples Gas System**

Dear Ms. Cole:

Enclosed for filing in the above docket on behalf of Peoples Gas System ("Peoples") are the original and 20 copies of Peoples' **Request for Confidential Classification and Motion for Temporary Protective Order** with respect to documents produced pursuant to Staff's First Request for Production of Documents (No. 2 and OPC's Second Request for Production of Documents (No. 69) in the Tampa Electric case (Docket No. 080317-EI), which have been requested by Staff in the captioned docket.

Also transmitted herewith, printed on yellow paper and marked "CONFIDENTIAL," is a single copy of each of the documents for which confidential treatment is sought.

COM \_\_\_\_\_

ECR \_\_\_\_\_

GCL \_\_\_\_\_

OPC \_\_\_\_\_

RCP \_\_\_\_\_

SSC \_\_\_\_\_

SGA \_\_\_\_\_

ADM \_\_\_\_\_

CLK \_\_\_\_\_

Please acknowledge your receipt and the date of filing of the enclosures on the duplicate copy of this letter and return the same to me in the enclosed preaddressed envelope.

Thank you for your usual assistance.

DOCUMENT NUMBER-DATE

01661 MAR-28

FPSC-COMMISSION CLERK

Ann Cole, Commission Clerk  
February 27, 2009  
Page 2

Sincerely,

A handwritten signature in black ink that reads "Ansley Watson, Jr." in a cursive style.

ANSLEY WATSON, JR.

AWjr/a  
Enclosures

cc: Parties of Record  
Mrs. Kandi M. Floyd

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for rate increase )  
by Peoples Gas System. )  
\_\_\_\_\_ )

Docket No. 080318-GU

Submitted for Filing:  
3-2-09

**PEOPLES GAS SYSTEM'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

Peoples Gas System ("Peoples" or the "Company"), pursuant to Section 366.093, *Florida Statutes*, and Rule 25-22.006, *Florida Administrative Code*, hereby requests confidential classification of (and the issuance of a temporary protective order with respect to) the yellow highlighted information contained in the following described document(s) (the "Document(s)") stamped "CONFIDENTIAL", which are submitted herewith, all of said confidential information being hereinafter referred to as "Confidential Information."

**Description of the Document(s)**

Each of the Documents was produced by Tampa Electric Company ("TEC") pursuant to either Category No. 2 of Staff's First Request for Production of Documents to TEC ("Staff POD #2") or Category No. 69 of the Citizens' Second Request for Production of Documents to TEC ("OPC POD #69"), and consists of a research document prepared by an investment bank or similar financial institution. TEC or TECO Energy, Inc. ("TECO Energy"), is a paid subscriber for the information contained in the subject documents. Commission Staff has requested that the Documents be included in Staff's Exhibit for the hearing in this proceeding.

DOCUMENT NUMBER-DATE

01661 MAR-28

FPSC-COMMISSION CLERK

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 “[i]nformation concerning . . . contractual data, the disclosure of which would impair the efforts of the public utility . . . to contract for goods or services on favorable terms”, and “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.” Subsections 366.093(3)(d) and (e), *Florida Statutes*. The Confidential Information that is the subject of this request and motion falls within the 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 justification for confidential treatment of the Confidential Information contained in the Document(s).

3. The Confidential Information contained in the Document(s) is intended to be and is treated by each of Peoples, TEC and TECO Energy as private and has not been publicly disclosed.

4. 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)(c), *Florida Administrative Code*, protecting the Confidential Information from public disclosure.

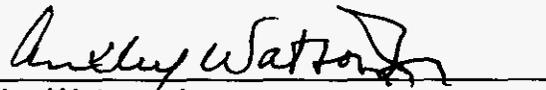
**Requested Duration of Confidential Classification**

5. Peoples requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period prescribed in Rule 25-22.006(9)(a), *Florida Administrative Code*. 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 period of confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Peoples Gas System 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 a minimum period of 18 months, subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request and motion. The Company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), *Florida Administrative Code*, protecting the Confidential Information from public disclosure.

DATED this 27th day of February, 2009.

Respectfully submitted,



Ansley Watson, Jr.  
Macfarlane Ferguson & McMullen  
P. O. Box 1531  
Tampa, Florida 33601-1531  
(813) 273-4321

Attorneys for Peoples Gas System

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Peoples Gas System, has been furnished by U. S. Mail this 27th day of February, 2009, to the following:

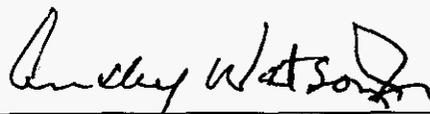
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c/o The Florida Legislature  
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Tallahassee, Florida 32399-1400

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McWhirter Law Firm  
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Tampa, Florida 33601-3350

Ms. Annette Follmer  
U. S. Gypsum Company  
P. O. Box 806278  
125 S. Franklin Street  
Chicago, Illinois 60680-4124



Ansley Watson, Jr.

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF HIGHLIGHTED PORTIONS  
OF THE DOCUMENT(S)**

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**Staff POD No. 2**

<b><u>Bates Page No(s).</u></b>	<b><u>Detailed Description</u></b>	<b><u>Rationale</u></b>
40-124	All highlighted information	(1)
245-284	All highlighted information	(1)
326-359	All highlighted information	(1)
391-454	All highlighted information	(1)
466-514	All highlighted information	(1)
743-762	All highlighted information	(1)
1188-1234	All highlighted information	(1)
1301-1365	All highlighted information	(1)
1553-1609	All highlighted information	(1)
1784-1812	All highlighted information	(1)

**OPC POD No. 69**

269-428	All highlighted information	(1)
458-502	All highlighted information	(1)
532-574	All highlighted information	(1)
604-683	All highlighted information	(1)

- 
- (1) Each of the Documents is a research document prepared by an investment bank or similar financial institution. TEC or TECO Energy is a paid subscriber for the information contained in the subject Documents. Each of the Documents is proprietary confidential business information which the preparer of the information expends great effort and expense to research, prepare and provide to subscribers who pay to receive this information. Public disclosure of the Documents would compromise the business interests of the providers of the information and adversely affect their ability to attract or retain subscribers for the information in question. That is why each of the providers of the information in

question has copyrighted the subject Documents in order to protect the provider's competitive business interests. Any person wishing to have access to the information contained in the Documents in question is presumably free to subscribe for that information from the entities that prepare and disseminate the information to their subscribers. In view of the foregoing, the information in question is proprietary confidential business information, work product of the provider, and information the public disclosure of which would adversely affect the competitive interests of the provider. Such copyrighted work product is entitled to protection against public disclosure under Section 366.093, Florida Statutes.

**PUBLIC VERSION(S) OF THE DOCUMENT**

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

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

Public Version(s) of the Document(s) previously served on \_\_\_\_\_

## REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION

Peoples requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefore is set forth below:

n/a

**TECO's Response to Staff's First Request for  
Production of Documents in Docket No. 080317-EI**

**No. 2**

**Bates  
Page No(s).**

40-124	ALL PAGES CONFIDENTIAL
245-284	ALL PAGES CONFIDENTIAL
326-359	ALL PAGES CONFIDENTIAL
391-454	ALL PAGES CONFIDENTIAL
466-514	ALL PAGES CONFIDENTIAL
743-762	ALL PAGES CONFIDENTIAL
1188-1234	ALL PAGES CONFIDENTIAL
1301-1365	ALL PAGES CONFIDENTIAL
1553-1609	ALL PAGES CONFIDENTIAL
1784-1812	ALL PAGES CONFIDENTIAL

**TECO's Response to OPC's Second Request for  
Production of Documents in Docket No. 080317-EI**

**No. 69**

**Bates  
Page No(s).**

269-428	ALL PAGES CONFIDENTIAL
458-502	ALL PAGES CONFIDENTIAL
532-574	ALL PAGES CONFIDENTIAL
604-683	ALL PAGES CONFIDENTIAL

STATE OF FLORIDA

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



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

# Public Service Commission

## ACKNOWLEDGEMENT

DATE: March 2, 2009

TO: Ansley Watson, Macfarlane Ferguson & McMullen

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080318 or, if filed in an undocketed matter, concerning documents produced pursuant to staff's 1<sup>st</sup> Request for PODs (No. 2 and OPC's 2<sup>nd</sup> Request for PODs (69) in the Tampa Electric Case (Docket No. 080317), and filed on behalf of People's Gas System. The document will be maintained in locked storage.

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

DOCUMENT NUMBER - DATE  
01662 MAR-28  
FPSC-COMMISSION CLERK

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