

Marguerite McLean

090003-GU

From: beth.keating@akerman.com
Sent: Wednesday, August 19, 2009 10:15 AM
To: Filings@psc.state.fl.us
Subject: Docket No. 090003-GU
Attachments: 20090818153617411.pdf

Attached for filing in the referenced Docket, please find Florida City Gas's Request for Extension of Confidential Classification. If you have any questions, please do not hesitate to contact me.

Sincerely,
Beth Keating
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A.
Beth Keating
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B. Docket No. 090003-GU - **Purchased Gas Adjustment (PGA) True-Up.**

C. Filed on behalf of Florida City Gas

D. Number of pages: 14

E. Request for Extension of Confidential Classification

COM _____
ECR _____
GCL 1
OPC _____
RCP 1
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8/19/2009

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August 19, 2009

VIA ELECTRONIC FILING

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

Re: Docket No. 090003-GU – Purchased Gas Adjustment (PGA) True-Up.

Dear Ms. Cole:

Enclosed for electronic filing in the above referenced Docket, please find Florida City Gas's Request for Extension of Confidential Classification.

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

Sincerely,

Beth Keating
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
Tallahassee, FL 32302-1877
Phone: (850) 224-9634
Fax: (850) 222-0103

(TL190910.1) Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Purchased Gas Adjustment)
(PGA) True-Up)
_____)

Docket No. 090003-GU
Date Filed: August 19, 2009

REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION

Florida City Gas ("Petitioner," "FCG," or "the Company"), by and through its undersigned counsel, and pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests an extension of confidential classification granted to certain material (Document Nos. 08291-07 and 11100-07) that was previously provided to the Florida Public Service Commission ("Commission," "PSC," or "Staff") in connection with FCG's Purchased Gas Adjustment ("PGA") Audit for the Year Ended December 31, 2006 (Audit No. 07-067-4-1). In support of this Request, FCG states as follows:

1. By Order No. PSC-08-0150-CFO-GU, issued March 12, 2008, in Docket No. 080003-GU, the Commission granted FCG's request for confidential treatment of the information included in the referenced documents for a period of 18 months. By the terms of the Commission's Order, the confidential treatment afforded this information is set to expire on September 12, 2009, unless an extension of confidential treatment is approved.

2. Subsection 366.093(1), Florida Statutes, provides that upon request, records received by the PSC which are "found by the commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1)."

3. "Proprietary confidential business information" is defined as meaning "information, regardless of form or characteristics, which is owned or controlled by the ... company, is intended to be and is treated by the ... company as private in that the disclosure of the information would cause harm to the ratepayers or the company's business operations, and

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has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public." § 366.093(3), Fla. Stat.

4. Proprietary confidential business information includes information concerning "contractual data, the disclosure of which would impair the efforts of a public utility or its affiliates to contract for goods or services on favorable terms." § 366.093(3)(d), Fla. Stat.

5. The designated portions of the information provided to, and retained by, the Commission fall within these statutory definitions, and therefore constitute proprietary confidential business information entitled to protection under Section 366.093 and Rule 25-22.006. The audit workpapers contain information, including specific contractual information, prices, and pricing data, which has been treated by FCG as private and has not been publicly disclosed. These terms and data, if disclosed, would impair the efforts of FCG to contract for goods or services on favorable terms in the future. The contractual terms and pricing data therein is therefore proprietary confidential business information and is entitled to continued and ongoing protection under Section 366.093 and Rule 25-22.006.

6. Specifically, FCG seeks continued confidential treatment of specific information as set forth in Attachment A, which is a duplicate of the original justification matrix provided to the Commission with FCG's original request for confidential treatment of this information on December 20, 2007. FCG further incorporates by reference the highlighted and redacted exhibits attached to its December 20, 2007, Request.

7. Pursuant to Section 366.093(4), Florida Statutes, and Rule 25-22.006(9), Florida Administrative Code, FCG requests that the information described above as proprietary confidential business information be protected from disclosure for a period of at least 18 months

and that all information be returned to FCG as soon as the information is no longer necessary for the Commission to conduct its business.

Respectfully submitted this 19th day of August, 2009.

FLORIDA CITY GAS

By: _____



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Attorneys for Florida City Gas

Attachment A

Confidentiality Justification

DOCUMENT	line/column	RATIONALE
Sequent Physical Purchases Compared to Index Pricing – January 2006	<p>All information in Sequent Purchase Price Column</p> <p>All information in FOM price column</p> <p>All information in difference column</p> <p>All information in column composed of auditor notes</p> <p>Specific highlighted information in pertaining to Weighted Average Price for Sequent purchases at Destin, FGT Zone 1, and Mobile Bay</p> <p>Specific highlighted information and amounts in auditor notes at the bottom of the page</p>	See paragraph 5 of the Request
Sequent Physical Purchases Compared to Index Pricing – February 2006	<p>All information in Sequent Purchase Price Column</p> <p>All information in FOM price column</p> <p>All information in difference column</p> <p>All information in column composed of auditor notes</p> <p>Specific highlighted information in pertaining to Weighted Average Price for Sequent</p>	See paragraph 5 of the Request

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DOCUMENT	line/column	RATIONALE
	<p>purchases at Destin, FGT Zone 1, High Island Operating System, and Mobile Bay</p>	
<p>Sequent Physical Purchases Compared to Index Pricing – March 2006</p>	<p>All information in Sequent Purchase Price Column</p> <p>All information in FOM price column</p> <p>All information in difference column</p> <p>All information in column composed of auditor notes</p> <p>Specific highlighted information in pertaining to Weighted Average Price for Sequent purchases at Destin, FGT Zone 1, High Island Operating System, and Mobile Bay</p>	<p>See paragraph 5 of the Request</p>
<p>Sequent Physical Purchases Compared to Index Pricing – April 2006</p>	<p>All information in Sequent Purchase Price Column</p> <p>All information in FOM price column</p> <p>All information in difference column</p> <p>All information in column composed of auditor notes</p> <p>Specific highlighted information in pertaining to Weighted Average Price for Sequent purchases at Destin, FGT Zone 1 and 2, Houston</p>	<p>See paragraph 5 of the Request</p>

DOCUMENT	line/column	RATIONALE
	Pipeline, Northern Natural Gas/MOPS, Southern Natural Gas/MOPS, and Mobile Bay	
Sequent Physical Purchases Compared to Index Pricing – May 2006	All information in Sequent Purchase Price Column All information in FOM price column All information in difference column All information in column composed of auditor notes Specific highlighted information in pertaining to Weighted Average Price for Sequent purchases at Destin, FGT Zones 1 and 2, Northern Natural Gas/MOPS, Southern Natural Gas/MOPS, and Mobile Bay	See paragraph 5 of the Request
Sequent Physical Purchases Compared to Index Pricing – June 2006	All information in Sequent Purchase Price Column All information in FOM price column All information in difference column All information in column composed of auditor notes Specific highlighted information in pertaining to Weighted Average Price for Sequent	See paragraph 5 of the Request

DOCUMENT	line/column	RATIONALE
	<p>purchases at Destin, FGT Zones 1 and 2, Northern Natural Gas/MOPS, Southern Natural Gas/MOPS, and Mobile Bay</p>	
<p>Sequent Physical Purchases Compared to Index Pricing -- July 2006</p>	<p>All information in Sequent Purchase Price Column</p> <p>All information in FOM price column</p> <p>All information in difference column</p> <p>All information in column composed of auditor notes</p> <p>Specific highlighted information in pertaining to Weighted Average Price for Sequent purchases at Destin, FGT Zones 1 and 2, Northern Natural Gas/MOPS, Southern Natural Gas/MOPS, and Mobile Bay</p>	<p>See paragraph 5 of the Request</p>
<p>Sequent Physical Purchases Compared to Index Pricing -- August 2006</p>	<p>All information in Sequent Purchase Price Column</p> <p>All information in FOM price column</p> <p>All information in difference column</p> <p>All information in column composed of auditor notes</p> <p>Specific highlighted information in pertaining to Weighted Average</p>	<p>See paragraph 5 of the Request</p>

DOCUMENT	line/column	RATIONALE
	Price for Sequent purchases at Destin, FGT Zones 1 and 2, Northern Natural Gas/MOPS, Southern Natural Gas/MOPS, and Mobile Bay	
Sequent Physical Purchases Compared to Index Pricing – September 2006	All information in Sequent Purchase Price Column All information in FOM price column All information in difference column All information in column composed of auditor notes Specific highlighted information in pertaining to Weighted Average Price for Sequent purchases at Destin, FGT Zones 1 and 2, Northern Natural Gas/MOPS, Southern Natural Gas/MOPS, and Mobile Bay	See paragraph 5 of the Request
Sequent Physical Purchases Compared to Index Pricing – October 2006	All information in Sequent Purchase Price Column All information in FOM price column All information in difference column All information in column composed of auditor notes Specific highlighted information in pertaining to Weighted Average	See paragraph 5 of the Request

DOCUMENT	line/column	RATIONALE
	Price for Sequent purchases at Destin, FGT Zones 1 and 2, and Mobile Bay	
Sequent Physical Purchases Compared to Index Pricing – November 2006	<p>All information in Sequent Purchase Price Column</p> <p>All information in FOM price column</p> <p>All information in difference column</p> <p>All information in column composed of auditor notes</p> <p>Specific highlighted information in pertaining to Weighted Average Price for Sequent purchases at Destin, FGT Zones 1 and 2, and Mobile Bay</p>	See paragraph 5 of the Request
Sequent Physical Purchases Compared to Index Pricing – December 2006	<p>All information in Sequent Purchase Price Column</p> <p>All information in FOM price column</p> <p>All information in difference column</p> <p>All information in column composed of auditor notes</p> <p>Specific highlighted information in pertaining to Weighted Average Price for Sequent purchases at Destin, FGT Zones 1 and 2, Northern Natural Gas Company/MOPS, and Mobile Bay</p>	See paragraph 5 of the Request

DOCUMENT	line/column	RATIONALE
Audit Workpaper 43-1/1 -1 p. 2	All information in "Counterparty" column Highlighted numbers in +/- spread column	See paragraph 5 of the Request
Audit Workpaper 43-1/2	Highlighted information in line 44 of auditor notes	See paragraph 5 of the Request
Audit Source: Request 1/p. 1 (8/17/07)	Highlighted information in first paragraph of Response	See paragraph 5 of the Request
Audit Source: Request (43-1/2- 1; 43-1/3; 43-1/4) p. 2, 3, and 4 (9/16/07)	Highlighted information in second, third, and fourth paragraphs of Response under subject line "Market Price and Cost of Gas"	See paragraph 5 of the Request
Attachment III – Comparison of Sequent Daily Purchase Cost to FCG Daily Purchase Cost	Total Sequent Daily Purchase – All information in the Price and Amount columns FCG Daily Ordered – All information in the Price and Amount columns All information in the Difference and Value columns Highlighted information in the auditor notes below chart	See paragraph 5 of the Request
Attachment IV – Sequent Energy Management FCG Allocated Cost Year-ended 2006	All amounts identified for Florida City Gas 2006 All amounts identified for Sequent 2006 Earnings Summary Percentage Gross Margin Estimated expense calculation	See paragraph 5 of the Request

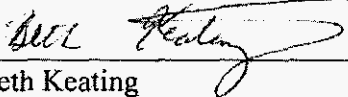
DOCUMENT	line/column	RATIONALE
	<p>Amount associated with Percentage Gross Margin in last line</p> <p>Highlighted information and amounts in auditor handwritten notes</p>	
<p>PGA Audit Supplement Page – May Comparison - Sequent Physical Purchases Compared to Index Pricing – May 2006</p>	<p>All information in Sequent Purchase Price Column</p> <p>All information in FOM price column</p> <p>All information in difference column</p> <p>Specific highlighted information in pertaining to Weighted Average Price for Sequent purchases at Destin, FGT Zones 1 and 2, Northern Natural Gas/MOPS, Southern Natural Gas/MOPS, and Mobile Bay</p>	<p>See paragraph 5 of the Request</p>
<p>2006 PGA Audit Supplement – Sequent Cost Including Gas Daily Purchases – Workpaper 43 - 4</p>	<p>All information in the Total Cost Column; all information in the Z1 cost column; all information in the Z2 cost column; all information in the Z3 cost column; all information in the Average Cost line; all information in the Market line; all information in the Difference line; all information in the City Therm Purchases line; all information in the Difference Between Avg. Cost and Cost to City line; and all information in the</p>	<p>See paragraph 5 of the Request</p>

DOCUMENT	line/column	RATIONALE
	Allocation of Sequent Expenses Net Difference for May line.	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida City Gas's Request for Extension of Confidential Classification in Docket No. 090003-GU has been furnished by regular U.S. Mail to the following parties of record this 19th day of August, 2009:

Florida Public Utilities Company Cheryl Martin P.O. Box 3395 West Palm Beach, FL 33402-3395	MacFarlane Ferguson Law Firm Ansley Watson, Jr. P.O. Box 1531 Tampa, FL 33601-1531
Messer Law Firm Norman H. Horton, Jr. P.O. Box 15579 Tallahassee, FL 32317	Office of Public Counsel J.R. Kelly/Patricia Christensen c/o The Florida Legislature 111 West Madison Street Room 812 Tallahassee, FL 32399-1400
People Gas System Paula Brown P.O. Box 111 Tampa, FL 33601-0111	St. Joe Natural Gas Company, Inc. Mr. Stuart L. Shoaf P.O. Box 549 Port St. Joe, FL 32457-0549
TECO Energy, Inc. Matthew Costa P.O. Box 111 Tampa, FL 33601-0111	AGL Resources Inc. Elizabeth Wade/David Weaver Ten Peachtree Place Location 1470 Atlanta, GA 30309
Florida City Gas Melvin Williams 955 East 25 th Street Hialeah, FL 33013-3498	Katherine Fleming Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399
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