

September 10, 2010

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COMMISSION  
CLERK

**VIA HAND DELIVERY**

Ms. Ann Cole, Commission Clerk  
Office of Commission Clerk  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

\_\_\_ CLAIM OF CONFIDENTIALITY  
\_\_\_ NOTICE OF INTENT  
 REQUEST FOR CONFIDENTIALITY  
\_\_\_ FILED BY OPC

FOR DN 07621-10, WHICH  
IS IN LOCKED STORAGE. YOU MUST BE  
AUTHORIZED TO VIEW THIS DN. - CLK

Re: Docket No. 090539-GU

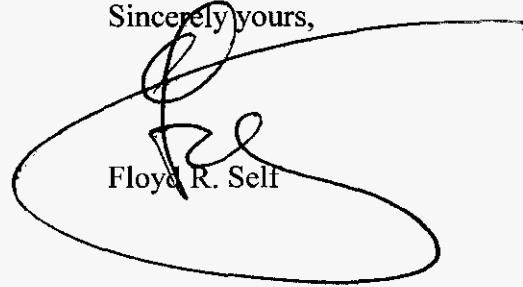
Dear Ms. Cole:

Enclosed for filing on behalf of Florida City Gas is an original and seven copies of Florida City Gas' Request for Confidential Classification in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,



Floyd R. Self

- COM \_\_\_\_\_
- APA \_\_\_\_\_
- ECR 5 \_\_\_\_\_
- GCL 1 \_\_\_\_\_
- RAD \_\_\_\_\_
- SSC \_\_\_\_\_
- ADM \_\_\_\_\_
- OPC \_\_\_\_\_
- CLK 1 \_\_\_\_\_

ERS/amb  
Enclosure

cc: Shannon O. Pierce, Esq.  
Parties of Record

DOCUMENT NUMBER DATE  
07620 SEP 10 02  
FPSC-COMMISSION CLERK

**BEFORE THE PUBLIC SERVICE COMMISSION**

In re: Petition for approval of Special Gas  
Transportation Service agreement with Florida  
City Gas by Miami-Dade County through  
Miami-Dade Water and Sewer Department

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Docket No. 090539-GU

**FLORIDA CITY GAS' REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Florida City Gas ("FCG" or "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 confidential classification of certain material contained in FCG's Response to Miami-Dade County's First Request for Production of Documents, Item No. 2. Attached to this Request is an envelope marked "CONFIDENTIAL" containing one copy of the highlight confidential information being provided. Two public, redacted versions of the confidential information is also provided with this Request. In support of this Request, FCG states as follows:

1. 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 Section 119.07(1), Florida Statutes.

2. "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 has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or

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07620 SEP 10 09  
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administrative body, or private agreement that provides that the information will not be released to the public.” Section 366.093(3), Florida Statutes.

3. Proprietary confidential business information includes, but is not limited to, information concerning:

- (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.
- (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

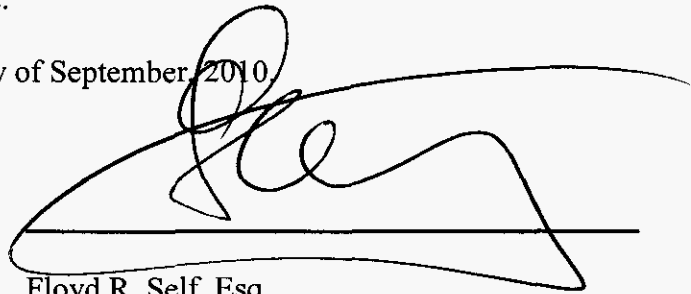
4. The confidential portions of the information being provided to the Commission fall within these statutory definitions, and therefore constitute proprietary confidential business information entitled to protection under section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

5. Attachment 1 to this Request consists of a chart, which specifically sets forth a line-by-line justification for maintaining specific information in FCG’s Response to Miami-Dade County’s First Request for Production of Documents, Item No. 2. as confidential. To be clear, this information has not been released to the public, and is treated by FCG as private, confidential information, the release of which could have a severe impact on business operations

and private negotiations. The subject information is therefore proprietary confidential business information and is entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

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

Respectfully submitted this 10<sup>th</sup> day of September, 2010,

A handwritten signature in black ink, appearing to read 'F. Self', written over a horizontal line.

Floyd R. Self, Esq.  
Robert J. Telfer III, Esq.  
Messer, Caparello & Self, P.A.  
2618 Centennial Place  
Tallahassee, Florida 32308  
Tel. 850-222-0720  
Fax. 850-558-0656

Shannon O. Pierce, Esq.  
AGL Resources Inc.  
Ten Peachtree Place, 15<sup>th</sup> Floor  
Atlanta, GA 30309  
Tel. 404-584-3394

*Counsel for Florida City Gas*

DOCUMENT	PAGE NO(S).	COLUMNS	LINE NO(S).	STATUTORY JUSTIFICATION
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	2	N/A	5-15, 18-23, and 26-30	These proprietary numbers contain customer-specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	3	N/A	1-3, 6-17, 20-25, and 29-30	These proprietary numbers contain customer-specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	4	N/A	1-11	These proprietary numbers contain customer-specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the

				competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	5	A - C	1-28	These proprietary numbers contain customer -specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	11	N/A	4, 6, 8, 11, 12, 15-18, and 21-24	These proprietary numbers contain customer -specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	12	N/A	1-3, 6-8, 10-12, 14-15, and 17-19	These proprietary numbers contain customer -specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers'

				rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	18	N/A	5-15, 18-23, and 26-30	These proprietary numbers contain customer –specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	19	N/A	1-3, 6-17, 20-25, and 29-30	These proprietary numbers contain customer –specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	20	N/A	1-11	These proprietary numbers contain customer –specific information, or information from which customer-specific information may be easily derived. Such customer-

				specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	21	A - C	1-28	These proprietary numbers contain customer –specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	28	N/A	7, 11, 15, 20, 21, 26-29, and 36-39	These proprietary numbers contain customer –specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.
FCG'S Confidential Response to Miami-Dade County's First Request for Production of	29	N/A	1-3, 8-10, 15-17, 21, 22, and	These proprietary numbers contain customer –specific information, or information



Documents, Item No. 2			26-28	<p>from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.</p>
FCG'S Confidential Response to Miami-Dade County's First Request for Production of Documents, Item No. 2	36	A - I	1-31	<p>These proprietary numbers contain customer -specific information, or information from which customer-specific information may be easily derived. Such customer-specific information is not released to the public and if disclosed, harms ratepayers' rights to privacy. These numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the company's negotiations of other agreements.</p>

**REDACTED**

Responses to FPSC Staff Data Request  
Docket No. 080672-GU  
December 30, 2008

**CONFIDENTIAL**

1 1. On Page 5 of the petition, Paragraph 11, you assert that FCG will recover its cost to  
2 serve Miami-Dade County at the proposed rates. Please provide calculations showing  
3 the cost to provide the service as described in the contract, and the derivation of the  
4 proposed rate.

5 Response: [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]

9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]

16 2. Please explain the derivation of the maximum annual contract quantity (MACQ) for  
17 each site and why such a maximum is necessary.

18 Response: [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]

24 3. Please explain the derivation of the minimum annual volume and maximum daily  
25 quantity of gas specified and why such limits are necessary.

26 Response: [REDACTED]  
27 [REDACTED]  
28 [REDACTED]  
29 [REDACTED]  
30 [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]

4 4. *Please describe how the loss of Miami-Dade County would impact the general body of*  
5 *ratepayers if the contract is not approved.*

6 Response: [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]

18 5. *What other options does Miami-Dade County have to secure gas, if the contract is not*  
19 *approved?*

20 Response: [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

26 6. *What is the purpose for the new language on Page 11, Article XIII, Miscellaneous,*  
27 *paragraph 6, of the new contract? What additional protection does it provide over the*  
28 *previously included Force Majeure language?*

29 Response: [REDACTED]  
30 [REDACTED]

Responses to FPSC Staff Data Request  
Docket No. 080672-GU  
December 30, 2008

DOCKET NO. 090539-GU  
FCG'S CONFIDENTIAL RESPONSE TO MIAMI-DADE  
COUNTY'S FIRST POD, ITEM NO. 2  
PAGE 4 OF 40

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1		[REDACTED]	[REDACTED]
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3	[REDACTED]		
4	[REDACTED]	[REDACTED]	[REDACTED]
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6	[REDACTED]	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]	[REDACTED]
8	[REDACTED]	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]	[REDACTED]
11	[REDACTED]	[REDACTED]	[REDACTED]
12	[REDACTED]	[REDACTED]	[REDACTED]
13	[REDACTED]	[REDACTED]	[REDACTED]
14	[REDACTED]	[REDACTED]	[REDACTED]
15	[REDACTED]	[REDACTED]	[REDACTED]
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17	[REDACTED]	[REDACTED]	[REDACTED]
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20	[REDACTED]	[REDACTED]	[REDACTED]
21	[REDACTED]	[REDACTED]	[REDACTED]
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24	[REDACTED]	[REDACTED]	[REDACTED]
25	[REDACTED]	[REDACTED]	[REDACTED]
26	[REDACTED]	[REDACTED]	[REDACTED]
27	[REDACTED]	[REDACTED]	[REDACTED]
28	[REDACTED]	[REDACTED]	[REDACTED]

CONFIDENTIAL

1 *Privileged and Confidential*

2 Responses to Question 4

3 Q: *What percentage of FCG total load does the Miami/Dade load subject to this contract represent?*

4f A: [REDACTED]

5 Q: *What is the potential new load associated with the six EMD engines?*

6 A: [REDACTED]

7 Q: *What would it cost Miami/Dade to bypass FCG and connect directly to FGT?*

8 A: [REDACTED]

9 Q: *What is the dollar amount that of fixed costs would be collected from the other ratepayers if Miami/Dade did bypass FCG?*

10 A: [REDACTED]

11 Q: *Wouldn't the loss of Miami/Dade reduce costs to the remainder of the ratepayers by the amount*

14 *currently collected through the CRA?*

15 A: [REDACTED]

16  
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19 Attachment 1

20 Q: *How were the numbers in column 2 derived?*

21 A: [REDACTED]

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25 Q: *Does the last column represent the system average cost or the average cost to serve commercial*

26 *industrial customers similar to Miami/Dade?*

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A: [REDACTED]

Q: Why is the cost for the Alexander Orr plant less (on a percentage basis of the 'surveillance report' number) than the Hialeah plant?

A: [REDACTED]

Q: Provide FCG's total customer count and number of commercial/industrial customers.

A: [REDACTED]

Q: Of total FCG commercial/industrial customer load, what percentage does Miami-Dade represent?

A: [REDACTED]

Q: Provide FCG's estimate of Miami-Dade's cost to bypass FCG services.

A: [REDACTED]

CONFIDENTIAL

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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.

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Response:

[REDACTED]

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[REDACTED]

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2. Please explain the derivation of the maximum annual contract quantity (MACQ) for each site and why such a maximum is necessary.

18  
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Response:

[REDACTED]

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3. Please explain the derivation of the minimum annual volume and maximum daily quantity of gas specified and why such limits are necessary.

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Response:

[REDACTED]

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11/11



1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]

4 4. Please describe how the loss of Miami-Dade County would impact the general body of  
5 ratepayers if the contract is not approved.

6 Response: [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]

8 5. What other options does Miami-Dade County have to secure gas, if the contract is not  
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20 Response: [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

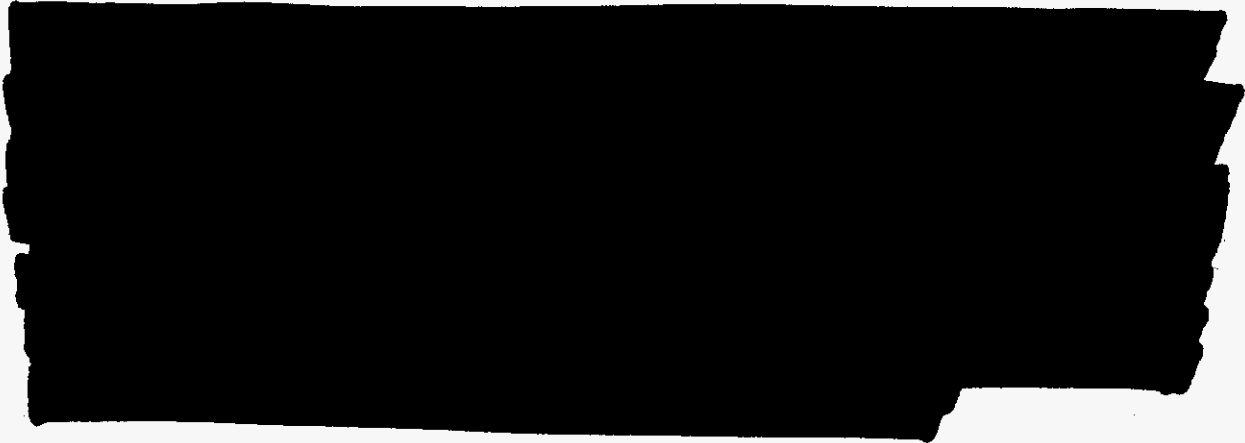
26 6. What is the purpose for the new language on Page 11, Article XIII, Miscellaneous,  
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Responses to FPSC Staff Data Request  
Docket No. 080672-GU  
December 30, 2008

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FCG'S CONFIDENTIAL RESPONSE TO MIAMI-DADE  
COUNTY'S FIRST POD, ITEM NO. 2  
PAGE 20 OF 40

10-0006508



Responses Attachment 4  
Miami Dade Water Plant - Race Design Comparison

	A	B	C
1		[REDACTED]	[REDACTED]
2	[REDACTED]		
3	[REDACTED]		
4	[REDACTED]	[REDACTED]	[REDACTED]
5	[REDACTED]	[REDACTED]	[REDACTED]
6	[REDACTED]	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]	[REDACTED]
8	[REDACTED]	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]	[REDACTED]
11	[REDACTED]	[REDACTED]	[REDACTED]
12	[REDACTED]	[REDACTED]	[REDACTED]
13	[REDACTED]	[REDACTED]	[REDACTED]
14	[REDACTED]	[REDACTED]	[REDACTED]
15	[REDACTED]	[REDACTED]	[REDACTED]
16	[REDACTED]	[REDACTED]	[REDACTED]
17	[REDACTED]	[REDACTED]	[REDACTED]
18	[REDACTED]	[REDACTED]	[REDACTED]
19	[REDACTED]	[REDACTED]	[REDACTED]
20	[REDACTED]	[REDACTED]	[REDACTED]
21	[REDACTED]	[REDACTED]	[REDACTED]
22	[REDACTED]	[REDACTED]	[REDACTED]
23	[REDACTED]	[REDACTED]	[REDACTED]
24	[REDACTED]	[REDACTED]	[REDACTED]
25	[REDACTED]	[REDACTED]	[REDACTED]
26	[REDACTED]	[REDACTED]	[REDACTED]
27	[REDACTED]	[REDACTED]	[REDACTED]
28	[REDACTED]	[REDACTED]	[REDACTED]

1 *Privileged and Confidential*

2  
3 Responses to Question 4

4  
5 *Q: What percentage of FCG total load does the Miami/Dade load subject to this contract represent?*

6  
7 A: [REDACTED]

8  
9 *Q: What is the potential new load associated with the six EMD engines?*

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11 A: [REDACTED]

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13 *Q: What would it cost Miami/Dade to bypass FCG and connect directly to FGT?*

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15 A: [REDACTED]

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17 *Q: What is the dollar amount that of fixed costs would be collected from the other ratepayers if*  
18 *Miami/Dade did bypass FCG?*

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20 A: [REDACTED]

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22  
23 *Q: Wouldn't the loss of Miami/Dade reduce costs to the remainder of the ratepayers by the amount*  
24 *currently collected through the CRA?*

25  
26 A: [REDACTED]

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31 Attachment 1

32  
33  
34 *Q: How were the numbers in column 2 derived?*

35  
36 A: [REDACTED]

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41 *Q: Does the last column represent the system average cost or the average cost to serve commercial*  
42 *industrial customers similar to Miami/Dade?*

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DOCUMENT NUMBER  
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A: [REDACTED]

Q: *Why is the cost for the Alexander Orr plant less (on a percentage basis of the 'surveillance report' number) than the Hialeah plant?*

A: [REDACTED]

Q: *Provide FCG's total customer count and number of commercial/industrial customers.*

A: [REDACTED]

Q: *Of total FCG commercial/industrial customer load, what percentage does Miami-Dade represent?*

A: [REDACTED]

Q: *Provide FCG's estimate of Miami-Dade's cost to bypass FCG services.*

A: [REDACTED]

CONFIDENTIAL

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080672-GU

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

CONFIDENTIAL

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DOCKET NO. 090539-GU  
FCG'S CONFIDENTIAL RESPONSE TO MIAMI-DADE  
COUNTY'S FIRST POD, ITEM NO. 2  
PAGE 36 OF 40

[REDACTED]

DOCUMENT NUMBER-DATE

00712 JAN 28 8

FPSC-COMMISSION CLERK

## CERTIFICATE OF SERVICE

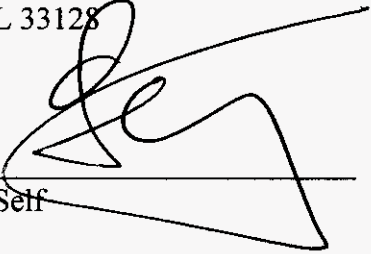
I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Electronic Mail and/or U.S. Mail this 10<sup>th</sup> day of September, 2010.

Anna Williams, Esq.  
Martha Brown, Esq.  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Mr. Melvin Williams  
Florida City Gas  
933 East 25<sup>th</sup> Street  
Hialeah, FL 33013

Shannon O. Pierce  
AGL Resources, Inc.  
Ten Peachtree Place, 15<sup>th</sup> Floor  
Atlanta, GA 30309

Henry N. Gillman  
Miami-Dade County  
111 NW First Street, Suite 2810  
Miami, FL 33128

  
\_\_\_\_\_  
Floyd R. Self

State of Florida



**Public Service Commission**  
CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

Floyd R. Self  
P.O. Box 15579  
Tallahassee FL 32317

**Re: Acknowledgement of Confidential Filing in Docket No. 090539-GU.**

This will acknowledge receipt by the Florida Public Service Commission, Office of Commission Clerk, of a CONFIDENTIAL DOCUMENT filed on September 10, 2010, in the above-referenced docket.

Document Number 07621-10 has been assigned to this filing, which will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.