



COUNTY ATTORNEY
MIAMI-DADE COUNTY, FLORIDA

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RECEIVED-FPSC
10 DEC 29 PM 4: 05
COMMISSION
CLERK

December 29, 2010

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

claim of confidentiality
 notice of intent
 request for confidentiality
 filed by OPC

For DN 10167, 10168, 10169, 10170, 10171-10, which is in locked storage. You must be authorized to view this DN.-CLK

Re: Docket No. 090539-GU –
Miami-Dade County's Memorandum of Law On the
Public Service Commission's Lack of Jurisdiction Over Special
Gas Transportation Agreement

Dear Ms. Cole:

Pursuant to the Order Establishing Procedure in the above referenced docket, Miami-Dade County is filing the following with the Clerk:

- 1) Miami-Dade County's Notice of Confidential Information;
- 2) Certificate of Service for the filing of the Direct Testimony of Joseph A. Ruiz, Jr., Gregory Hicks, Jack Langer, Fred Saffer and Brian Armstrong;
- 3) An unredacted filing of all Direct Testimony, each in a separate envelope labeled "Confidential";
- 4) 15 copies of all Direct Testimony, redacted.

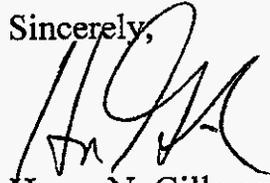
COM _____
 APA _____
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 RAD _____
 SSC _____
 ADM _____
 OPC _____
 CLK _____

12-29-10 left mess. missing Hicks 15 copies of testimony. NHT McJehan
 1-3-11
 Verbal confirmation from Cindy Paxton, there is no redacted version of Gregory Hicks testimony. NHT McJehan
 DOCUMENT NUMBER: 10166
 DATE: DEC 29 2010
 FPSC-COMMISSION CLERK

Ms. Ann Cole
December 28, 2010
Page 2 of 2

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. N. Gillman', written over a horizontal line.

Henry N. Gillman
Assistant County Attorney

c: All Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition of Miami-Dade County through
The Miami-Dade Water and Sewer Department
for Approval of Special Gas Transportation
Service Agreement with Florida City Gas

Docket No. 090539-GU

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the Direct
Testimony of Joseph A. Ruiz, Jr., Gregory Hicks, Jack Langer, Fred Saffer
and Brian Armstrong on behalf of Miami-Dade County, have been furnished
by hand delivery or overnight mail this 29 day of December, 2010 to
the following:

Anna Williams, Esq. – Via hand delivery
Martha Brown, Esq. – Via hand delivery
Office of General Counsel
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
Anwillia@PSC.State.FL.US
MBrown@PSC.State.FL.US
(Florida Public Service Commission)

Floyd R. Self, Esq. – Via hand delivery
Messer, Caparello & Self, P.A.
2618 Centennial Place
Tallahassee, FL 32308
Fself@lawfla.com
(Florida FCG)

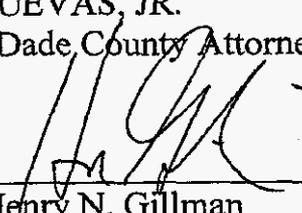
Mr. Melvin Williams – Via overnight mail
933 East 25th Street
Hialeah, FL 33013
Mwilliam@aglresources.com
(Florida FCG)

Shannon O. Pierce, Esq. – Via overnight mail
Ten Peachtree Place, 15th floor
Atlanta, GA 30309
Spierce@aglresources.com
(AGL Resources, Inc.)

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney

By: _____


Henry N. Gillman
Assistant County Attorney
Florida Bar No. 793647
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, FL 33128
Telephone: 305-375-5151
Fax: 305-375-5611
Email: hgill@miamidade.gov

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition of Miami-Dade County through
The Miami-Dade Water and Sewer Department Docket No. 090539-GU
for Approval of Special Gas Transportation
Service Agreement with Florida City Gas

**MIAMI-DADE COUNTY'S NOTICE OF CONFIDENTIAL
INFORMATION**

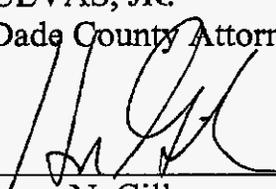
Miami-Dade County, by and through undersigned counsel, pursuant to Section 366.093, Florida Statutes and Rule 25-22.006, submits this Notice of Confidential Information and states as follows:

1. On February 16, 2010, July 8, 2010 and September 10, 2010, Florida City Gas requested confidential classification of certain information provided in response to Staff Data Requests, Staff Discovery Requests and Miami-Dade County discovery requests.
2. Although a member of PSC's Staff issued a recommendation on FCG's September 10, 2010 request, the prehearing officer has not issued a ruling on any of the FCG's requests for confidential classification.
3. The County's Direct Testimony and Exhibits include information that FCG requested to be confidential.
4. Pending a ruling by the Commission, the County is treating such information as confidential pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

5. In accordance with the Order Establishing Procedure in this case and the requirements of the Commission, the County is filing 15 copies of all direct testimony and exhibits with FCG's requested confidential information redacted. The County is also filing in separate envelopes marked "Confidential" one original of each witness' direct testimony and exhibits with FCG's requested confidential information highlighted.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney

By: 

Henry N. Gillman
Assistant County Attorney
Florida Bar No. 793647
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, FL 33128
Telephone: 305-375-5151
Fax: 305-375-5611
Email: hgill@miamidade.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing
has been furnished by hand delivery or overnight mail on this 29th
day of December, 2010 to:

Anna Williams, Esq. – Via hand delivery
Martha Brown, Esq. – Via hand delivery
Office of General Counsel
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
Anwillia@PSC.State.FL.US
MBrown@PSC.State.FL.US
(Florida Public Service Commission)

Floyd R. Self, Esq. – Via hand delivery
Messer, Caparello & Self, P.A.
2618 Centennial Place
Tallahassee, FL 32308
Fself@lawfla.com
(Florida FCG)

Mr. Melvin Williams – Via overnight mail
933 East 25th Street
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Mwilliam@aglresources.com
(Florida FCG)

Shannon O. Pierce, Esq. – Via overnight mail
Ten Peachtree Place, 15th floor
Atlanta, GA 30309
Spierce@aglresources.com
(AGL Resources, Inc.)

By:



Henry N. Gillman
Assistant County Attorney

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

Henry N. Gillman
111 N.W First Street
Suite 2810
Miami, FL 33128

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 December 29, 2010 , in the above-referenced docket.

Document Numbers 10167-10, 10168-10, 10169-10, 10170-10, 10171-10 have 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.