

MACFARLANE FERGUSON & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

1611 HARDEN BOULEVARD
LAKELAND, FLORIDA 33803
(863) 680-9908 FAX (863) 683-2849

ONE TAMPA CITY CENTER, SUITE 2000
201 NORTH FRANKLIN STREET
P.O. BOX 1531 (ZIP 33601)
TAMPA, FLORIDA 33602
(813) 273-4200 FAX (813) 273-4396

625 COURT STREET
P. O. BOX 1669 (ZIP 33757)
CLEARWATER, FLORIDA 33756
(727) 441-8966 FAX (727) 442-8470

www.mfmlegal.com
EMAIL: info@mfmlegal.com

IN REPLY REFER TO:

Ansley Watson, Jr.
P.O. Box 1531
Tampa, Florida 33601
e-mail: aw@macfar.com

July 19, 2011

VIA FEDEX

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

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

For DN 05023-11, which
is in locked storage. You must be
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RECEIVED-FPSC
11 JUL 20 PM 2:24
COMMISSION
CLERK

Re: Docket No. 110003-GU – Purchased gas adjustment (PGA) true-up

Dear Ms. Cole:

Enclosed for filing in the above docket on behalf of Peoples Gas System ("Peoples") are the original and 15 copies of Peoples' **Request for Confidential Classification and Motion for Temporary Protective Order** with respect to portions of Peoples responses to Staff's First Data Request in the above docket.

Also enclosed, in an envelope marked "CONFIDENTIAL," is a single copy of each of the documents for which confidential treatment is sought, with the confidential information highlighted in yellow.

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.

Sincerely,


ANSLEY WATSON, JR.

COM _____
APA _____
ECR 12
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RAD _____
SSC _____
ADM _____
OPC _____
CLK _____

AWjr/a

DOCUMENT NUMBER - DATE

05022 JUL 20 =

FPSC-COMMISSION CLERK

Ann Cole, Commission Clerk
July 19, 2011
Page 2

Enclosures

cc: Parties of Record
Mrs. Kandi M. Floyd

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Purchased gas adjustment)
(PGA) true-up.)
_____)

Docket No. 110003-GU
Submitted for Filing:
7-20-11

**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)

The Document(s) consist of Peoples' responses to Staff Data Requests Nos. 6 through 10 (such Data Requests being dated July 5, 2011), and provide information with respect to hedged fuel prices (and other information from which such hedged fuel prices might be calculated). Public versions of the documents, with the confidential information redacted, have been submitted for filing simultaneously with this request.

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

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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 Peoples 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

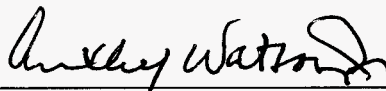
5. Peoples requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period prescribed in Rule 25-22.006(9)(a), *Florida Administrative Code*.

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. 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 19th day of July, 2011.

Respectfully submitted,



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

Attorneys for Peoples Gas System

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing request and motion have been furnished by U. S. Mail, this 19th day of July, 2011, to the following:

Jennifer Crawford, Esquire
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Mr. Melvin Williams
Florida City Gas
933 East 25th Street
Hialeah, FL 33013-3403

Office of Public Counsel
J.R. Kelly/Charles Rehwinkel
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400

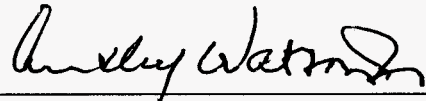
Ms. Paula K. Brown
Regulatory Affairs
Peoples Gas System
P. O. Box 111
Tampa, FL 33601-0111

Beth Keating, Esquire
Gunster Law Firm
215 South Monroe St. Suite 618
Tallahassee, FL 32301

Mr. Thomas A. Geoffroy
Florida Public Utilities Company
P. O. Box 3395
West Palm Beach, FL 33402-3395

Mr. Andy Shoaf
St. Joe Natural Gas Company, Inc.
P. O. Box 549
Port St. Joe, FL 32457-0549

Elizabeth Wade/David Weaver
AGL Resources Inc.
Ten Peachtree Place
Location 1470
Atlanta, GA 30309



Ansley Watson, Jr.

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT
OF HIGHLIGHTED PORTIONS OF PEOPLES GAS SYSTEM'S
RESPONSES TO STAFF DATA REQUESTS DATED JULY 5, 2011**

**Responses to
Data Requests**

<u>Nos.</u>	<u>Bates Page Nos.</u>	<u>Detailed Description</u>	<u>Rationale</u>
6-10	Bates Page Nos. 1	All Highlighted Information	(1)

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- 1) The information contained on the listed responses contains hedged fuel prices and other information from which such hedged fuel prices might be calculated, which type of information has been recognized by the Commission on numerous occasions to constitute proprietary confidential business information, the disclosure of which would be harmful to Peoples' ability to contract for goods and services on favorable terms and, likewise, the disclosure of which would be harmful to the competitive interests of Peoples. This is the specific type of information described in Section 366.093(3)(d) and (e) as being entitled to confidential protection and exemption from disclosure pursuant to the Public Records Law.