



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

RECEIVED--FPSC

11 SEP 16 PM 2:52

-M-E-M-O-R-A-N-D-U-M-

COMMISSION CLERK

DATE: 09/14/11  
TO: Division of Economic Regulation, Office of Primary Responsibility  
FROM: OFFICE OF COMMISSION CLERK  
RE: CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO(s): 090539-GU DOCUMENT NO(s): 06595-11  
DESCRIPTION: FCG (Self) - (CONFIDENTIAL) Cost of service analysis and bypass analysis documents that are a part of the proposed settlement agreement. [See DN 06229-11]  
SOURCE: Florida City Gas

The above confidential material was filed along with a request for confidential classification. In accordance with Section 11.04.C.5.c.(4) of the APM, please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
  - (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 company to contract for services on favorable terms;
  - (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
  - (f) Tax returns or tax-related information;
  - (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

COM \_\_\_\_\_  
APA \_\_\_\_\_  
ECR \_\_\_\_\_  
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RAD \_\_\_\_\_  
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CLK MM

This response was prepared by /s/ William B. McNulty on September 16, 2011

I have provided one copy of the full recommendation to the Office of General Counsel and two copies to the Office of Commission Clerk for the docket file and processing of the confidential material.

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FPSC-COMMISSION CLERK

State of Florida



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**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** September 15, 2011  
**TO:** Anna R. Norris, Senior Attorney, Office of the General Counsel  
**FROM:** William B. McNulty, Economic Analyst, Division of Economic Regulation *WBM*  
**RE:** Florida City Gas' Revised Request for Confidential Classification (as pertains to certain information appearing in Document No. 06595-11)

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Pursuant to Section 366.093 of the Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida City Gas (FCG, or the Company) requests confidential classification of highlighted information appearing in certain portions of its cost of service analysis and bypass analysis documents that are referenced as "Exhibit D" of the proposed settlement agreement package between the parties in Docket No. 090539-GU (Petition for approval of Special Gas Transportation Service Agreement with Florida City Gas by Miami-Dade County through Miami-Dade Water and Sewer Department). FCG filed its original request on this matter on August 29, 2011, but withdrew it on September 12, 2011 and filed its revised request for confidential classification on September 13, 2011.

Florida City Gas justifies its revised request for confidentiality based on the proprietary numbers containing customer-specific information, or information from which customer-specific information may be easily derived. FCG states that FCG would be at a competitive disadvantage in seeking to negotiate contract-specific rates if other customers had access to this information. FCG also states that the referenced numbers and information constitute trade secrets, information concerning contractual data, and competitive information, the disclosure of which would cause harm to FCG and its ratepayers. The specific location of the data for which confidentiality is being requested appears in Exhibit "A" of FCG's confidentiality request filed September 13, 2011.

FCG's request for confidential classification for certain information appearing in Document No. 0695-11 includes the following: FCG's Confidential Settlement Incremental Cost Analysis, Page 1, Lines 26-28 and 31-33, Columns C, E, and G; FCG's MDWASD Bypass Analysis, Page 1 of 6, Lines 3-6, 9, 13, 17, 18, and 21, Columns H and I; FCG's MDWASD Bypass Analysis, Page 5 of 6, Lines 3-48, Columns E-F; and FCG's Confidential MDWASD Bypass Analysis, Lines 3-50, Columns E-F. FCG maintains that this information includes cost of service analysis used to support the specific contract rates for the provision of natural gas transportation service to a specific customer, Miami-Dade Water and Sewer Department.

Staff has reviewed FCG's revised confidentiality request. In staff's opinion, the request does meet the criteria for confidentiality contained in Section 366.093, Florida Statutes for all portions of the request. This information for which confidential classification is requested relates to competitive interests, the disclosure of which would impair the competitive business of FCG. Staff recommends that FCG's revised request for confidential classification for highlighted information appearing in Document No. 06595-11 be approved.

WBM/wbm