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October 28, 2011

VIA HAND DELIVERY

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

Claim of confidentiality
 Notice of intent
 Request for confidentiality
 Filed by GWS

For DN 07978-11
is to be filed in the case of
authorize as per the order of the court.

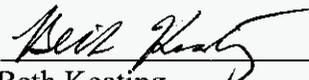
Re: Docket No. 110003-GU – Purchased Gas Adjustment (PGA) True Up.

Dear Ms. Cole:

Enclosed for filing, please find the original and 7 copies of the Florida Public Utilities Company's to Request for Confidential Classification of its Responses to Staff's First Set of Interrogatories and First Requests for Production of Documents to the Company in the referenced proceeding. Also enclosed are one copy of the referenced information and documents with the confidential information highlighted, as well as two copies with the confidential information redacted.

Thank you for your assistance with this filing. As always, please don't hesitate to let me know if you have any questions whatsoever.

Sincerely,



Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

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DOCUMENT NUMBER 07978-11
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Purchased Gas Adjustment) Docket No. 110003-GU
(PGA) True-Up)
_____) Filed: October 28, 2011

**FLORIDA PUBLIC UTILITIES COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF ITS RESPONSES TO
STAFF'S FIRST SET OF INTERROGATORIES (NOS. 1-5)
AND FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS (NO. 1)**

Florida Public Utilities Company ("FPUC"), by and through its undersigned counsel, pursuant to Section 366.093, Florida Statutes, and consistent with Rule 25-22.006(4), Florida Administrative Code, hereby submits its Request for Confidential Classification of information contained in its Responses to Commission Staff's First Set of Interrogatories (Nos. 1- 5), as well as its Response to Staff's First Request for Production of Documents (No. 1), Attachment A (Analysis of Proposals). In support of this Request, FPUC states that:

1. FPUC requests confidential classification of the highlighted rates and terms in the proposals to FPUC for extending service into Nassau County, which represent information provided in the context of a confidential bid process and contractual negotiations that both FPUC and the Companies that supplied offers treat as proprietary confidential business information consistent with the definition of that term in Section 366.093, Florida Statutes.
2. The information for which FPUC seeks confidential classification is information that the Company treats as confidential, and that meets the definition of "proprietary confidential business information" as set forth in Section 366.093(3), Florida Statutes, which provides:

(3) Proprietary confidential business information means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been

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

- (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.

3. Specifically, FPUC seeks confidential classification of the following (lines/pages) of its Responses to Staff's First Set of Interrogatories:

Page 6 (Response to Interrogatory 2), highlighted numbers in line 9; Page 9 (Response to Interrogatory 3), number in line 10-11; Page 10 (Response to Interrogatory 3), highlighted numbers in lines 18 and 19; and Page 12 (Response to Interrogatory 4), highlighted numbers in lines 3, 4, 5, 6, and 22.

4. With regard to the Company's response to Production Request No. 1, Attachment A, FPUC seeks confidential treatment of the following portions:

Column "Company", all lines (1-6); Column "Description of Project", all lines (1-6); Column "Upstream Pipeline", all lines (1-6); Column "Term", all lines (1-6); Column "MDTQ", all lines (1-6); Column "Maximum Hour (DT)", all lines (1-6); Column "Firm", all lines (1-6); Column "Annual Rate", all lines (1-6); Column "Upstream Capacity (DT)", all lines (1-6); Column "Upstream Capacity Rate", all lines (1-6); Column "Rank", all lines (1-6); as well as all information noted and highlighted below these columns in lines 7 – 16.

5. The information set forth in these identified sections is proprietary competitive bid information that falls squarely under Section 366.093(3)(d) and (e), Florida Statutes. Release of the referenced information as a public record would harm FPUC's business operations and ratepayers by impairing the Company's ability to effectively negotiate for goods and services. As such, FPUC requests that the Commission deem afford this information confidential treatment and exempt from Section 119.07, Florida Statutes. Included with this Request is a highlighted copy of the Interrogatory Responses, and Response to Document Request No. 1 (Attachment A). Also enclosed are two redacted copies of the same information.

6. FPUC asks that confidential classification be granted for a period of at least 18 months. Should the Commission no longer find that it needs to retain the information, FPU respectfully requests that the confidential information be returned to the Company.

WHEREFORE, FPUC respectfully requests that the highlighted information contained in its Responses to Staff's First Set of Interrogatories, as well as Attachment A to its response to Staff's First Requests for Production of Documents be classified as "proprietary confidential business information," and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 28th day of October, 2011.



Beth Keating
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(850) 521-1706

Attorneys for FPUC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of foregoing (redacted attachments only) in Docket No. 110003-GU has been furnished by Electronic Mail to the following parties of record this 28th day of October, 2011:

Cheryl Martin Florida Public Utilities Company 401 South Dixie Hwy. West Palm Beach, FL 33401	Ansley Watson, Jr. MacFarlane Ferguson Law Firm P.O. Box 1531 Tampa, FL 33601-1531
	J.R. Kelly/Patricia Christensen Office of Public Counsel c/o The Florida Legislature 111 West Madison Street Room 812 Tallahassee, FL 32399-1400
Paula Brown Peoples Gas System P.O. Box 111 Tampa, FL 33601-0111	Mr. Stuart L. Shoaf St. Joe Natural Gas Company, Inc. P.O. Box 549 Port St. Joe, FL 32457-0549
TECO Energy, Inc. Javier Cuebas P.O. Box 111 Tampa, FL 33601-0111	Elizabeth Wade/David Weaver/Brian Sulmonetti AGL Resources Inc. Ten Peachtree Place Location 1470 Atlanta, GA 30309
Melvin Williams Florida City Gas 933 East 25 th Street Hialeah, FL 33013-3498	Jennifer Crawford Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399


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