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October 31, 2011

BY HAND DELIVERY

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

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

For DN 08014-11, which
is redacted in r/o. You must be
authorized to view this info-CLA.

Re: Docket No. 110271-GP: Petition by Peninsula Pipeline Company for Approval of
Agreement with Florida Public Utilities Company

Dear Ms. Cole:

Enclosed for filing, please find the original and 7 copies of Peninsula Pipeline Company's Request for Confidential Classification of information contained in its Responses to Staff's First Data Request, which are being submitted today. Also included, are one highlighted and two redacted copies of the information for which Peninsula seeks confidential classification.

Thank you for your assistance with this filing. As always, please don't hesitate to contact me 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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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for Approval of Transportation)
Service Agreement with Florida Public) DOCKET NO. 110271-GP
Utilities Company by Peninsula Pipeline)
Company, Inc.) FILED: October 31, 2011

PENINSULA PIPELINE COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
IN ITS RESPONSES TO STAFF'S FIRST DATA REQUEST

Peninsula Pipeline Company, Inc. ("Peninsula"), 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 Data Requests to the Company in the referenced Docket. In support of this Request, Peninsula states that:

1. Peninsula requests confidential classification of the highlighted rates and terms in its Response to Data Request No. 4, which represents specific information developed in the context of providing a proposal for service to FPUC for extending service into Nassau County. The Company treats this as proprietary confidential business information consistent within the definition of that term in Section 366.093, Florida Statutes, as does Florida Public Utilities Company.

2. The information for which Peninsula seeks confidential classification is information 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 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, Peninsula seeks confidential classification of the following (lines/pages) of its Responses to Staff's First Data Requests:

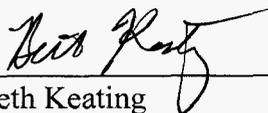
Peninsula's Responses to Staff's First Data Request, page 2, Response to Data Request No. 4, highlighted information in the 7 lines of that Response that constitute a calculation of the construction cost estimate.

4. The information set forth in these identified sections is highly 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 Peninsula's competitive business operations and ratepayers by impairing the Company's ability to effectively negotiate for goods and services. As such, Peninsula 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 Data Response. Also enclosed are two redacted copies of the same information.

6. Peninsula 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, Peninsula respectfully requests that the confidential information be returned to the Company.

WHEREFORE, Peninsula respectfully requests that the highlighted information contained in its Responses to Staff's First Data Requests be classified as "proprietary confidential business information," and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 31st day of October, 2011.



Beth Keating
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(850) 521-1706

Attorneys for Peninsula Pipeline Company