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IN REPLY REFER TO:

Ansley Watson, Jr.
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March 14, 2012

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 01546-12, which
is in locked storage. You must be
authorized to view this DN.-CLK

RECEIVED-FPSC
12 MAR 15 AM 10:31
COMMISSION
CLERK

Re: **Docket No. 110271-GU -- Petition for approval of transportation service agreement with Florida Public Utilities Company, by Peninsula Pipeline Company, Inc.**

and

Docket No. 110277-GU -- Application for approval of tariff revisions to reflect service in Nassau and Okeechobee Counties, by Florida Public Utilities Company

REQUEST FOR CONFIDENTIAL TREATMENT

Dear Ms. Cole:

Enclosed for filing with the Commission on behalf of Peoples Gas System, please find the original and seven ~~(7)~~ copies of Peoples' Request for Confidential Treatment with respect to portions of Peoples' responses to the Commission Staff's Second Data Request dated March 9, 2012 in the above docket. Enclosed with this filing are one highlighted and two redacted copies of each document for which confidential treatment is sought.

Please acknowledge your receipt of the enclosures on the enclosed copy of this letter, and return the same to me in the enclosed preaddressed envelope.

COM _____
APA _____
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CLK 1

DOCUMENT NUMBER-DATE

01545 MAR 15 2012

FPSC-COMMISSION CLERK

Ann Cole
March 14, 2012
Page 2

Thank you for your usual assistance.

Sincerely,

A handwritten signature in black ink that reads "Ansley Watson, Jr." The signature is written in a cursive style with a large, stylized initial 'A'.

Ansley Watson, Jr.

AWjr/a
Enclosures

cc: Martha F. Barrera, Esquire
Beth Keating, Esquire
Ms. Kandi M. Floyd

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of Transportation Service Agreement with Florida Public Utilities Company by Peninsula Pipeline Company, Inc.

DOCKET NO. 110271-GU

In re: Petition for approval of tariff modifications to extend service territory into Nassau and Okeechobee Counties by Florida Public Utilities Company

DOCKET NO. 110277-GU

FILED: March 15, 2012

**PEOPLES GAS SYSTEM'S REQUEST
FOR CONFIDENTIAL TREATMENT**

Pursuant to Section 366.093, *Florida Statutes*, Peoples Gas System ("Peoples" or the "Company"), submits the following Request for Confidential Treatment of portions of the Company's responses to Staff's Second Data Request to the Company in the above docket (and in Docket No. 110271-GU), which responses are submitted for filing in the above docket(s) concurrently herewith:

1. Attached hereto as Exhibit A is a detailed justification for the requested confidential treatment of the highlighted portions of the Company's responses to the Staff's Second Data Requests Nos. 4, 5 and 8.

2. The information for which confidential classification is sought is intended to be and is treated as private by Peoples, and has not been disclosed. Such information consists of the estimated costs for construction of pipelines required to provide gas transportation service to customers in Nassau County, Florida, and the Company's proprietary financial model used to determine the long-term feasibility of facilities extensions such as the involved pipelines.

3. Peoples requests that the information for which it seeks confidential classification not be declassified until two months after the expiration of the term of the Gas

DOCUMENT NUMBER - DATE

01545 MAR 15 2012

FPSC-COMMISSION CLERK

Transportation Agreement between Peoples and RockTenn CP, LLC ("RockTenn"). The detailed justification for non-disclosure of the highlighted portions of the Company's responses to the Staff's Second Data Requests Nos. 4, 5 and 8 (see Exhibit A attached hereto) also establishes good cause for the Commission's finding that the protection from disclosure should extend for a period longer than 18 months (see Section 366.093(4), *Florida Statutes*). The time period requested is necessary to protect the competitive information (*i.e.*, the costs used to determine the level of the rates at which service will be provided to RockTenn under the Gas Transportation Agreement), other cost data for construction of the involved pipelines, and the Company's feasibility model) from disclosure to Peoples' competitors and to other customers in order to allow Peoples, should it become necessary, to negotiate future gas service arrangements with other customers on favorable terms based on the specific factual circumstances of such customers. The estimated costs of construction, if disclosed, could also hamper Peoples' efforts to contract for goods and services on favorable terms. The period of time requested will ultimately protect Peoples and its customers by any such future arrangements being entered into based only on the facts and circumstances then applicable to the particular customer, contractor or vendor.

WHEREFORE, Peoples submits the foregoing as its request for confidential treatment of the information identified in Exhibit A.

Respectfully submitted,

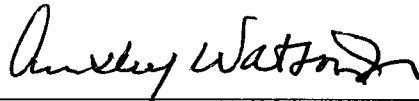


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Attorneys for Peoples Gas System

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Request for Confidential Treatment, filed on behalf of Peoples Gas System, has been furnished by regular U.S. Mail to Martha Barrera, Esquire, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and Beth Keating, Esquire, Gunster, Yoakley & Stewart, P.A., 215 South Monroe Street, Suite 601, Tallahassee, Florida 32301-1839, this 14th day of March, 2012.



Ansley Watson, Jr.

PEOPLES' RESPONSES TO STAFF'S SECOND DATA REQUEST

JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF HIGHLIGHTED INFORMATION

Peoples seeks specified confidential treatment, and non-disclosure pursuant to Chapter 119, *Florida Statutes*, of the cost information highlighted on the response to Staff's Second Data Request No. 5, the response to Staff's Second Data Request No. 4, and the highlighted portions of the workpapers attached as the response to Staff's Second Data Request No. 8.

Staff's Second Data Request No. 5 – The highlighted information is Peoples' estimated cost of pipeline construction for which RockTenn is responsible (and which was used to determine the monthly payment to be made by RockTenn for transportation service under the Gas Transportation Agreement between Peoples and RockTenn. It is information directly relating to Peoples' competitive interests which, if made public, "would impair the competitive business" of Peoples in the event it should become necessary to negotiate similar arrangements with this customer, other customers or potential customers in the future. Section 366.093(3)(e), *Florida Statutes*. Disclosure of the specific costs used to determine the rate(s) required to recover the costs of an expansion of facilities through which Peoples will provide gas service to RockTenn would give other customers or potential customers a benchmark or target to use in negotiations with Peoples, notwithstanding that their particular circumstances may not be the same as, or even similar to, those of RockTenn. In addition, disclosure of these costs (which are internal Peoples estimates) would give contractors or vendors from which Peoples would solicit bids for pipeline components or construction a benchmark or target to use in negotiations with Peoples for construction of the involved pipelines or other future pipeline projects. Disclosure of this information would impair the efforts of Peoples to contract for goods or services on favorable terms. Section 366.093(3)(d), *Florida Statutes*.

Staff's Second Data Request No. 4 -- The highlighted information is Peoples' estimated cost of pipeline construction for three segments of the total pipeline expansion that is one of the subjects of these dockets. The disclosure of any of these estimates is entitled to confidential treatment and protection from disclosure for the same reasons as are set forth with respect to the highlighted information in the response to Staff's Second Data Request No. 5.

Staff's Second Data Request No. 8 – The highlighted information is a financial analysis of the costs of construction for the three segments of the pipeline expansion project that is one of the subjects of these dockets via a feasibility analysis model that is a trade secret and proprietary to Peoples. The model has not been disclosed. The information within the analysis is proprietary confidential business information entitled to protection from disclosure for the same reasons set forth above with respect to Staff's

Second Data Request No. 5. In addition, it is entitled to protection from disclosure pursuant to Section 366.093(3)(a), *Florida Statutes*.