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September 1, 2015

**HAND DELIVERY**

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

**REDACTED**

15 SEP - 1 PM 4:22  
MILWAUKEE DISTRICT CLERK

Re: **Docket No. 150001-EI: Fuel and Purchased Power Cost Recovery Clause with  
Generating Performance Incentive Factor**

Dear Ms. Stauffer:

Attached for filing, please find the original and seven copies of Florida Public Utilities Company's Request for Confidential Classification for certain information in Exhibit CDY-3 to the Direct Testimony of Curtis D. Young. With this filing are highlighted and redacted copies of the subject information, as required by Rule 25-22.006, F.A.C.

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

MEK

COM	_____
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and purchased power cost recovery  
clause with generating performance incentive  
factor.

DOCKET NO. 150001-EI

DATED: September 1, 2015

**REQUEST FOR CONFIDENTIAL CLASSIFICATION AND MOTION FOR A TEMPORARY  
PROTECTIVE ORDER**

Florida Public Utilities Company (“FPU” or “Company”), 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 to protect the information contained Exhibit CDY-3 to the direct testimony of Curtis D. Young. The Company likewise requests the issuance of a Temporary Protective Order to protect this information, in accordance with Rule 25-22.006(6)(c). In support of this Request, FPU states that:

1. The information contained in the Projection Testimony of FPUC’s witnesses includes information about a pending project, along with information developed by FPU’s experts and consultants involved in the analyses of these projects about the project costs and projected savings. The information is treated by the Company as competitively sensitive information and includes contractual information, the disclosure of which would impair FPUC to negotiate favorable rates in the future to the detriment of the Company and its customers.
2. The information at issue is, as noted, considered proprietary confidential business information by FPU, and has not otherwise been disclosed publicly. Disclosure of this information would publicly reveal information regarding the project and contracts

that could also adversely impact the project or the anticipated benefits arising from the project.

3. The information for which FPU 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 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.

4. Specifically, FPU seeks confidential classification and a Protective Order for the highlighted information in the following (lines/pages) in the referenced testimony:

Document	Page/Line/Location	Description	Rationale
Exhibit CDY-3	Page 10 of 10 (Calculation of Customer Savings); highlighted information in lines 8 and 9, all columns 2016 – 2025.	Prices and costs for generation services provided to FPUC	Information reveals specific contractual information between FPU and its providers; disclosure of this information would impair the

Document	Page/Line/Location	Description	Rationale
			Company's ability to contract for goods and services with other providers. The information also reflects specific work performed in furtherance of certain fuel related projects, some of which are not yet finalized. Disclosure of this information could impair the viability and completion of the projects. (Section 366.093(d) and (e))

5. The information at issue falls squarely under Section 366.093(3)(e), Florida Statutes. Release of the referenced information as a public record would harm FPU's business operations and ratepayers by impairing the Company's ability to effectively negotiate for goods and services, as well as impair the ability to bring these projects to fruition. As such, FPU requests that the Commission afford this information confidential treatment and thus exempt from Section 119.07, Florida Statutes. FPU further requests that the Commission issue a temporary protective order, in accordance with Rule 25-22.006(6)(c), Florida Administrative Code, to protect this information when provided to the Office of Public Counsel, which is a party to this proceeding.

6. Included with this Request is a highlighted copy of the referenced documents. Also enclosed are two redacted copies of the information.

7. FPU 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, FPU respectfully requests that:

- 1) the highlighted portions of Exhibit CDY-3, be classified as “proprietary confidential business information,” and thus, exempt from Section 119.07, Florida Statutes; and
- 2) confidential classification be granted for a period of at least 18 months from the issuance of the Commission’s Order.

RESPECTFULLY SUBMITTED this 1st day of September, 2015.



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Beth Keating  
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215 South Monroe St., Suite 618  
Tallahassee, FL 32301  
(850) 521-1706

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by Electronic Mail to the following parties of record this 1st day of September, 2015:

<p>Suzanne Brownless                  Martha Barrera                  Florida Public Service Commission                  2540 Shumard Oak Boulevard                  Tallahassee, FL 32399-0850  <u><a href="mailto:Sbrownle@PSC.STATE.FL.US">Sbrownle@PSC.STATE.FL.US</a></u></p>	<p>James D. Beasley/J. Jeffry Wahlen/Ashley Daniels                  Ausley Law Firm                  Post Office Box 391                  Tallahassee, FL 32302  <u><a href="mailto:jbeasley@ausley.com">jbeasley@ausley.com</a></u>  <u><a href="mailto:jwahlen@ausley.com">jwahlen@ausley.com</a></u>  <u><a href="mailto:adaniels@ausley.com">adaniels@ausley.com</a></u></p>
<p>Jeffrey Stone/Russell Badders/Steven Griffin                  Beggs &amp; Lane                  P.O. Box 12950                  Pensacola, FL 32591-2950  <u><a href="mailto:srg@beggslane.com">srg@beggslane.com</a></u></p>	<p>James W. Brew/Owen Kopon                  Stone Matheis Xenopoulos &amp; Brew, PC                  Eighth Floor, West Tower                  1025 Thomas Jefferson Street, NW                  Washington, DC 20007  <u><a href="mailto:jbrew@smxblaw.com">jbrew@smxblaw.com</a></u></p>
<p>John T. Butler                  Maria Moncada                  Florida Power &amp; Light Company                  700 Universe Boulevard                  Juno Beach, FL 33408-0420  <u><a href="mailto:John.Butler@fpl.com">John.Butler@fpl.com</a></u></p>	<p>Kenneth Hoffman                  Florida Power &amp; Light Company                  215 South Monroe Street, Suite 810                  Tallahassee, FL 32301  <u><a href="mailto:Ken.Hoffman@fpl.com">Ken.Hoffman@fpl.com</a></u></p>
<p>Ms. Paula K. Brown                  Tampa Electric Company                  Regulatory Affairs                  P.O. Box 111                  Tampa, FL 33601-0111  <u><a href="mailto:Regdept@tecoenergy.com">Regdept@tecoenergy.com</a></u></p>	<p>Florida Industrial Users Power Group                  Jon C. Moyle, Jr.                  Moyle Law Firm                  118 North Gadsden Street                  Tallahassee, FL 32301  <u><a href="mailto:jmoyle@moylelaw.com">jmoyle@moylelaw.com</a></u></p>
<p>Mike Cassel                  Florida Public Utilities Company                  1750 SW 14th Street, Suite 200                  Fernandina Beach, FL 32034  <u><a href="mailto:mcassel@fpuc.com">mcassel@fpuc.com</a></u></p>	<p>Florida Retail Federation                  Robert Scheffel Wright/John T. LaVia                  Gardner Law Firm                  1300 Thomaswood Drive                  Tallahassee, FL 32308  <u><a href="mailto:schef@gbwlegal.com">schef@gbwlegal.com</a></u></p>

<p>Robert L. McGee, Jr. Gulf Power Company One Energy Place Pensacola, FL 32520 <a href="mailto:rlmcgee@southernco.com">rlmcgee@southernco.com</a></p>	<p>J.R. Kelly/P. Christensen/C. Rehwinkel/ Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 <a href="mailto:Kelly.JR@leg.state.fl.us">Kelly.JR@leg.state.fl.us</a> <a href="mailto:Christensen.patty@leg.state.fl.us">Christensen.patty@leg.state.fl.us</a> <a href="mailto:Rehwinkel.Charles@leg.state.fl.us">Rehwinkel.Charles@leg.state.fl.us</a></p>
<p>Matthew Bernier Duke Energy 106 East College Avenue, Suite 800 Tallahassee, FL 32301 <a href="mailto:Matthew.Bernier@duke-energy.com">Matthew.Bernier@duke-energy.com</a></p>	<p>Dianne M. Triplett Duke Energy 299 First Avenue North St. Petersburg, FL 33701 <a href="mailto:Dianne.Triplett@duke-energy.com">Dianne.Triplett@duke-energy.com</a></p>
<p>Raoul G. Cantero, III, Esq. White &amp; Case, LLP Southeast Financial Center, Suite 4900 200 South Biscayne Boulevard Miami, FL 33131-2352 <a href="mailto:rcantero@whitecase.com">rcantero@whitecase.com</a></p>	<p>Andrew Maurey Michael Barrett Division of Accounting and Finance Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 <a href="mailto:mbarrett@psc.state.fl.us">mbarrett@psc.state.fl.us</a> <a href="mailto:amaurey@psc.state.fl.us">amaurey@psc.state.fl.us</a></p>

By:   
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**Florida Public Utilities Company**

FPL Interconnect  
 Calculation of the Customer Savings  
 Projected 2016 - 2025

**REDACTED**

Schedule A  
 Exhibit \_\_\_\_\_ redacted  
 Curtis D. Young (CDY-3)  
 Page 10 of 10

**Prices and Costs for Generation Services (\$/MWh)**

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
<b>JEA Costs</b>	[REDACTED]									
<b>FPL</b>	[REDACTED]									
<b>Price Differenti</b>	38.74	40.10	39.78	28.02	26.47	31.12	29.67	26.20	27.18	22.03

**Indicative Net Benefits to Customers (\$ 000)**

<b>Purchase Quantity Scenario (MW)</b>	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
10 MW	2,216	2,294	2,275	1,603	1,514	1,780	1,697	1,499	1,555	1,260
20 MW	4,432	4,588	4,551	3,205	3,028	3,560	3,394	2,998	3,109	2,521

**Load Factor,  
 Northeast Division**  
 0.65

\* "These indicative prices are based on simulations of the financial costs of generation services, for Florida Power and Light and Jacksonville Electric Authority. The analyses utilize historical data available in the public domain, and resource plans filed before the Florida Public Service Commission. The underlying data are not complete in all dimensions; as a consequence, the analysis includes reasonable judgements and inferences where necessary."