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September 1, 2016

HAND DELIVERY

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

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COMMISSION
CLERK

**Re: Docket No. 160001-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 MC-2 to the Direct Testimony of Michael Cassel. 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

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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. 160001-EI
DATED: September 1, 2016

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 MC-2 to the direct testimony of Mike Cassel. 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 an ongoing 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 MC-2/Schedule A	Page 10 of 10 (Calculation of Customer Savings); highlighted information in lines 8 and 9, all columns 2017 – 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 MC-2 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, 2016.



Beth Keating
Bar No. 0022756
Gunster, Yoakley & Stewart, P.A.
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, 2016:

Danijela Janjic Suzanne Brownless Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 djanjic@psc.state.fl.us sbrownle@psc.state.fl.us	James D. Beasley/J. Jeffry Wahlen/Ashley Daniels Ausley Law Firm Post Office Box 391 Tallahassee, FL 32302 jbeasley@ausley.com jwahlen@ausley.com adaniels@ausley.com
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<p>Matthew Bernier Duke Energy 106 East College Avenue, Suite 800 Tallahassee, FL 32301 Matthew.Bernier@duke-energy.com</p>	<p>Dianne M. Triplett Duke Energy 299 First Avenue North St. Petersburg, FL 33701 Dianne.Triplett@duke-energy.com</p>
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Florida Public Utilities Company

FPL Interconnect

Calculation of the Customer Savings

Projected 2017 - 2025

Schedule A

Exhibit _____

Michael Cassel (MC-2)

Page 10 of 10

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

	2017	2018	2019	2020	2021	2022	2023	2024	2025
JEA Costs	[REDACTED]								
FPL	[REDACTED]								
Price Differenti	23.15	23.93	16.64	16.26	15.06	14.49	12.56	14.65	11.23

Indicative Net Benefits to Customers (\$ 000)

Purchase Quantity Scenario (MW)	2017	2018	2019	2020	2021	2022	2023	2024	2025
10 MW	1,324	1,369	952	930	861	829	718	838	642
20 MW	2,649	2,738	1,904	1,861	1,722	1,658	1,437	1,676	1,284

**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."

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