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January 9, 2018

HAND DELIVERY

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

REDACTED

RECEIVED-FPSC
2018 JAN -9 PM 4:44
COMMISSION
CLERK

Re: DOCKET NO. 20170179-GU - Petition for rate increase and approval of depreciation study by Florida City Gas.

Dear Ms. Stauffer:

Attached, please find the original and 7 copies of Florida City Gas's Request for Confidential Classification of certain information in its Responses to Citizens' Seventh Requests for Production of Documents ("PODs") to the Company. One highlighted, and two redacted copies of the confidential information are provided in hard copy.

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

Kind regards,



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

cc:/ (Office of Public Counsel)

- COM _____
- AFD 1
- APA _____
- ECO 5? | 1 redacted copy
- ENG 1
- GCL _____
- IDM _____
- CLK _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida City Gas. | DOCKET NO. 20170179-GU

DATED: January 9, 2018

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

FLORIDA CITY GAS (FCG or the Company), by and through undersigned counsel, and pursuant to rule 25-22.006, Fla. Admin. Code, requests that the Florida Public Service Commission (the Commission) enter an order protecting from public disclosure the two attachments produced by FCG in response to Request for Production 135 in Citizens' Seventh Request for Production. In support of this request, the Company states:

1. On October 23, 2017, FCG filed its Petition for Rate Increase, and *inter alia* the prefiled direct testimony and supporting exhibits of its witnesses and Minimum Filing Requirements.

2. On December 15, 2017, the Citizens of the State of Florida, through the Office of Public Counsel (OPC), served FCG with its Seventh Set of Interrogatories (Nos. 162-171) and Seventh Requests for Production of Documents (PODs) (Nos. 130-139). Two documents responsive to Request for Production number 135 in the seventh set of requested document productions, specifically POD 7-135 – Map 1 and POD 7-135 – Map 2, contain material and information that FCG and its affiliates treat as highly confidential, which has not otherwise been publicly disclosed. Given the nature of the documents provided, the Company considers these documents to be confidential, the disclosure of which would cause harm to FCG and its customers.

3. The information for which FCG 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.

4. With regard to the documents responsive to OPC’s Request for Production number 135, specifically POD 7-135 – Map 1 and POD 7-135 – Map 2, these documents show parcels of land for which FCG is currently in negotiations with the landowner(s) to purchase said land for its proposed LNG facility. This information should be classified as proprietary confidential business information because its disclosure would impair the FCG's competitive interests by interfering with FCG’s ability to negotiate a purchase price for the needed land that would provide the best value for FCG's ratepayers. Furthermore, disclosure of the information contained in POD 7-135 – Map 1 and POD 7-135 – Map 2 while negotiations are pending could foreclose FCG’s ability to purchase any land for its proposed LNG facility, which would affect FCG’s ability to serve ratepayers efficiently and in the most cost-effective manner possible.

5. FCG seeks confidential classification as follows:

Document Production	Page/Lines -Document	Rationale
POD 7-135 – Map 1 (BATES 00127698) and POD 7-135 – Map 2 (BATES 00127699)	Entire files	Proprietary Confidential Business Information that is competitively sensitive and meets the definition in Section 366.093(3)(e), F.S.

6. Release of any of this information would ultimately impair the Company's ability to provide services to its ratepayers.

7. Submitted herewith, in substantial compliance with Rule 25-22.006, Florida Administrative Code, is a DVD containing the confidential files clearly identified as confidential. Given the electronic nature of the documents, complete highlighting is, in most instances, not feasible, nor is redaction, which would simply result in a blank file. Nonetheless, to the extent feasible, the Company is submitting one highlighted and two redacted hard copies of the referenced maps.

8. FCG further requests that the Commission issue a protective order, in accordance with Rule 25-22.006(6), Florida Administrative Code, to protect this information when provided to the Office of Public Counsel, which is a party to this proceeding.

WHEREFORE, FCG respectfully requests that:

1. The Commission enter an order protecting the information in the following files, in its entirety, from public disclosure as proprietary confidential business information:

a. POD 7-135 – Map 1 (BATES 00127698); and

b. POD 7-135 – Map 2 (BATES00127699)

2. The Commission issue a protective order, in accordance with Rule 25-22.006(6), Florida Administrative Code, to protect this information when provided to the Office of Public Counsel; and

3. The Commission grant confidential classification for this information for a period of at least 18 months.

Respectfully submitted this 9th day of January, 2018, by:



Beth Keating, Esquire
Florida Bar No. 0022756
Gunster Law Firm
215 South Monroe Street Suite 601
Tallahassee, FL 32301
Attorneys for Florida City Gas

CERTIFICATE OF SERVICE

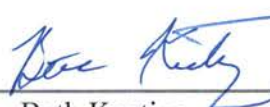
I hereby certify that a true and correct copy of the foregoing filing has been served by Hand Delivery or Electronic Mail (w/o confidential attachments) this 9th day of January, 2018, upon the following:

Walter Trierweiler
Florida Public Service Commission
General Counsel's Office
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

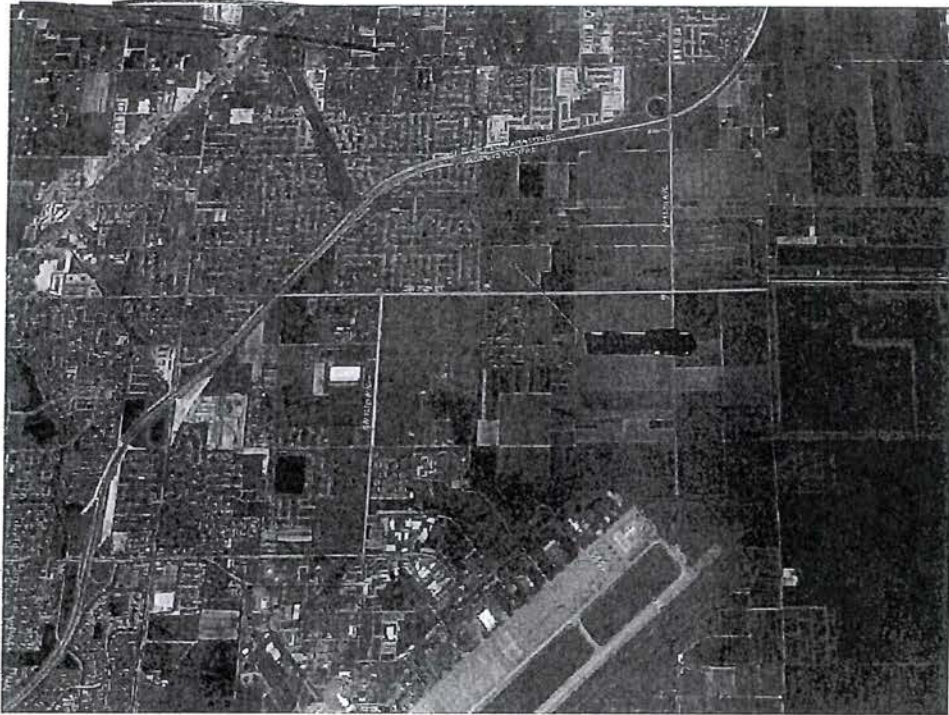
Virginia Ponder
Office of the Public
Counsel c/o The Florida
Legislature
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By: _____



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SITE VIEW
SCALE: NTS

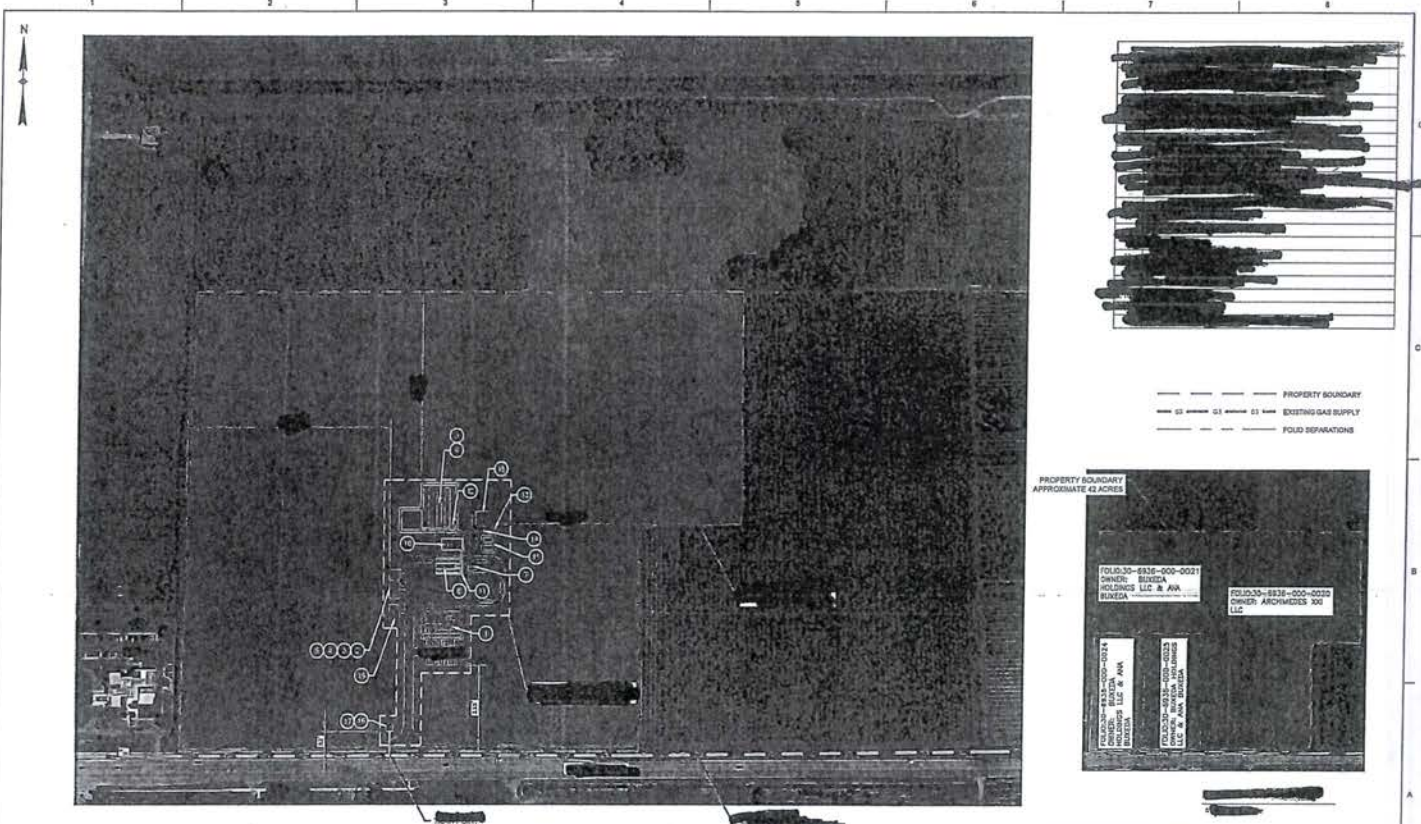
PRELIMINARY
FOR REVIEW

HR

Southern Company
Gas

SOUTHERN COMPANY GAS
FLORIDA CITY GAS LNG PEAK SHAVING FACILITY
TYPICAL PLANT LAYOUT

SCALE AS NOTED	JOB NO. 10073252	REVISION A
	DRAWING NO. 10073252-SK-001	



SITE VIEW
SCALE: 1"=100'

PRELIMINARY
FOR REVIEW

SCALE IN FEET
0 100 200



SOUTHERN COMPANY GAS
FLORIDA CITY GAS LNG PEAK SHAVING FACILITY
TYPICAL PLANT LAYOUT

SCALE: AS NOTED	JOB NO: 10073252	REVISION: A
	DRAWING NO: 10073252-SK-002	