

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for Seminole combined cycle facility, by Seminole Electric Cooperative, Inc.

DOCKET NO. 20170266-EC

In re: Joint Petition to determine need for the Shady Hills combined cycle facility, by Seminole Electric Cooperative, Inc. and Shady Hills Energy Center, LLC.

DOCKET NO. 20170267-EC

DATED: MARCH 8, 2018

**SEMINOLE ELECTRIC COOPERATIVE'S
FIFTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Seminole Electric Cooperative, Inc. ("Seminole") pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Fifth Request for Confidential Classification of certain information provided in its responses to Staff's Fifth Set of Interrogatories (Nos. 67-68).

1. On March 8, 2018, Seminole responded to Staff's Fifth Set of Interrogatories. Seminole's Response to Interrogatory No. 67 contains confidential information.

2. The following exhibits are included with this request:

(a) Exhibit A is a package containing redacted versions of the documents for which Seminole requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

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(b) Exhibit B is a package containing un-redacted copies of the documents for which Seminole seeks confidential treatment. Exhibit B is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the un-redacted version, the information asserted to be confidential is highlighted in yellow.

2. The Response to Interrogatory No. 67 contains pricing information from bids related to a Request for Proposal ("RFP") that Seminole issued for engineering, procurement, and construction ("EPC") of the Seminole Combined Cycle Facility. The disclosure of this information would impair the efforts of Seminole to contract for goods or services on favorable terms. *See* Section 366.093(3)(d), F.S. Without assurances that the terms of the bids received will not be publicly disclosed, potential bidders might withhold sensitive engineering, construction, cost, or other information necessary for Seminole to understand and assess the costs and benefits of their proposals. Further, without assurances of non-disclosure, potential bidders might choose not to respond to RFPs that Seminole may issue in the future. In either case, Seminole's efforts to contract for goods and services on favorable terms would be impaired by disclosure of the information deemed confidential by bidders. Accordingly, the information identified in Attachment A qualifies for confidential classification under Section 366.093(3)(d), Florida Statutes. Likewise, the information relates to competitive business interests, the disclosure of which would impair the competitive business of the bidders who provided the information to Seminole. As such, the information also qualifies for confidential classification under Section 366.093(3)(e), Florida Statutes.

3. Attachment 1 to this Request is a matrix identifying specific information within these responses and documents which are considered confidential, along with the specific statutory justification for seeking confidential classification.

4. The information for which Seminole seeks confidential treatment is intended to be and is treated as confidential by Seminole. The information has not been disclosed to the public.

5. Seminole requests that the information identified above be classified as "proprietary confidential business information" within the meaning of section 366.093(3), F.S., that the information remain confidential for a period of at least 18 months as provided in section 366.093(4), F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, Seminole Electric Cooperative, Inc. respectfully requests that this Fifth Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 8th day of March, 2018.

HOPPING GREEN & SAMS, P.A.

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Attorneys for SEMINOLE ELECTRIC COOPERATIVE, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Request for Confidential Classification was served upon the following by hand delivery on this 8th day of March, 2018:

Lee Eng Tan, Esquire
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

/s/ Malcolm N. Means
Attorney

ATTACHMENT 1

JUSTIFICATION FOR CONFIDENTIAL CLASSIFICATION

Document	Page(s) or Tab	Column	Lines	Description	Statutory Justification
SECI Response to Staff Interrogatory No. 67	All	Price	1-4	Terms of Response to RFP	§366.093(3)(d)-(e), Fla. Stat