

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: March 15, 2018

TO: Division of Engineering, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20170266-EC, 20170267-EC DOCUMENT NO: 01988-2018

DESCRIPTION: Seminole (Perko) - (CONFIDENTIAL) Responses to staff's 1st set of interrogatories (Nos. 1-34) and 1st request for PODs (Nos. 1-19).

SOURCE: Seminole Electric Cooperative, Inc.

The above confidential material was filed along with a third request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (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 information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

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This response was prepared by Takira Thompson on March 15, 2018, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.



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DATE: March 15, 2018

TO: Rachael Dziechciarz, Senior Attorney, Office of the General Counsel
Charles W. Murphy, Senior Attorney, Office of the General Counsel

FROM: Takira T. Thompson, Engineering Specialist, Division of Engineering
Douglas Wright, Engineering Specialist, Division of Engineering
William B. McNulty, Economist Supervisor, Division of Economics
Jenny X. Wu, Economic Analyst, Division of Economics

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RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20170266-EC, 20170267-EC DOCUMENT NO: 01988-2018

DESCRIPTION: Seminole (Perko) - (CONFIDENTIAL) Response to staff's 1st set of interrogatories (Nos. 1-34) and 1st request for PODs (Nos. 1-19).

SOURCE: Seminole Electric Cooperative, Inc.

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Seminole Electric Cooperative, Inc. (Seminole or Utility) requests confidential classification of certain responses to Staff's First Set of Interrogatories (ROGs) and Staff's First Request for Production of Documents (PODs).

Seminole requests confidentiality of the information provided in response to ROG Nos. 6, 18, and 33 of Staff's First Set of ROGs to Seminole Electric Cooperative, Inc. and Shady Hills Energy Center, LLC. Section 366.093(3)(d), F.S. states: "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," and Section 366.093(3)(e), F.S. states: "Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." The information provided in response to ROG Nos. 6 and 18, for which confidential treatment is being sought, can be described as the identity of the counterparty in ongoing negotiations. The information provided in response to ROG No. 33 contains information regarding responses to Seminole's Request for Proposals, including the identity of bidders, disclosure of which could impair future business negotiations. Staff has reviewed Seminole's confidentiality request for the aforementioned ROGs and recommends that this information meets the criteria for confidential classification pursuant to Section 366.093(3)(d) and (e), F.S.

Seminole requests confidentiality of the information provided in response to POD No. 6 of Staff's First Request for PODs under Section 366.093(3)(e), F.S. The information provided in response to POD No. 6, for which confidential treatment is being sought, can be described as Seminole's wholesale rate schedules. Staff has reviewed Seminole's confidentiality request for POD No. 6 and recommends that this information meets the criteria for confidential classification pursuant to Section 366.093(3)(e), F.S.

Seminole requests confidential treatment for highlighted information contained in the file "CONFIDENTIAL-170266-Staff's 1st POD Nos. 11-13-Out of Model.xlsx" in response to POD Nos. 11-13, under Section 366.093(3), F.S., and Section 366.093(3)(d), F.S. Under Section 366.093(3), F.S., proprietary confidential business information includes information which would "cause harm to the ratepayers" if disclosed. Seminole seeks confidential treatment for information it describes as end user load data and confidential change in transmission service.

Staff has reviewed Seminole's information for which it seeks confidential treatment in the file titled "CONFIDENTIAL-170266-Staff's 1st POD Nos. 11-13-Out of Model.xlsx" and believes the highlighted information in the referenced file provided in response to Staff's First Request for PODs, Nos. 11-13 is what the Utility claims it to be, and that it furthermore meets the definition of proprietary confidential business information in comportment with Section 366.093(3), F.S., and Section 366.093(3)(d), F.S. Therefore, staff recommends Seminole's request for confidentiality of the highlighted information contained in the file "CONFIDENTIAL-170266-Staff's 1st POD Nos. 11-13-Out of Model.xlsx" be approved.

cc: Office of Commission Clerk (Docket Nos. 20170266-EC & 20170267-EC)