

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: APRIL 4, 2018

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COMMISSION
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**SEMINOLE ELECTRIC COOPERATIVE AND SHADY HILLS ENERGY CENTER,
LLC'S
TENTH 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.), submit this Tenth Request for Confidential Classification of portions of Hearing Exhibit Nos. 102, 103, and 116, proffered by Quantum Pasco Power, L.P., Michael Tulk, and Patrick Daly ("Intervenors") at the hearing that concluded on March 22, 2018.

1. On March 21 and 22, 2018, the Commission conducted a consolidated hearing for Docket Nos. 20170266-EC and 20170267-EC.
2. At this hearing, counsel for Intervenors introduced multiple documents produced by Seminole during discovery as Hearing Exhibits. Several of these documents are currently subject to a pending request for confidential classification,¹ while others contain no confidential information.

3. Portions of Hearing Exhibit Nos. 102, 103, and 116, however, contain confidential information. None of these exhibits are currently subject to a pending

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¹ Hearing Exhibit Nos. 100, 101, and 104 are the subject of Seminole's Eighth Request for Confidential Classification.

request for confidential classification. Seminole accordingly seeks confidential classification for portions of these exhibits.

4. 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.

(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.

5. Hearing Exhibits No. 102 and 103 contain information related to bids provided to Seminole in response to its requests for proposals for power supply, a natural gas supply lateral, and a long-term service agreement ("LTSA") for the SCCF. 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. The purpose of these RFPs was to obtain potentially favorable contract terms to meet the reliability needs of Seminole and its Members. Without assurances that the terms of the bids 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 Seminole's future RFPs.

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.

6. Hearing Exhibit Nos. 102 and 103 also contain confidential Seminole wholesale pricing data. Seminole provides wholesale power to its Member Cooperatives. Disclosure of Seminole's wholesale pricing would give Seminole's competitors a competitive advantage because their pricing would not be set by market forces. Instead, those competitors could underbid Seminole in the wholesale power market. Accordingly, this pricing constitutes "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." §366.093(e), Fla. Stat.

7. Hearing Exhibit No. 116 consists of financial statements that include projected revenue and cost information, as well as information related to Seminole's outstanding debt obligations. This information could be utilized by potential competitors to estimate Seminole's wholesale rate, thereby gaining an advantage in the marketplace. Consequently, this information constitutes "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." §366.093(e), Fla. Stat. Furthermore, release of this information could impair Seminole's ability to purchase power on favorable terms. *See* Section 366.093(3)(d), F.S.

8. Attachment 1 to this Request is a matrix identifying specific information within the Response and the Tolling Agreement which are considered confidential, along with the specific statutory justification for seeking confidential classification.

9. The information for which Petitioners seek confidential treatment is intended to be and is treated as confidential by Petitioners. The information has not been disclosed to the public.

10. Petitioners request 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, Petitioners respectfully request that this Tenth Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 4th day of April, 2018.

HOPPING GREEN & SAMS, P.A.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Request for Confidential Classification was served upon the following by electronic mail on this 4th day of April, 2018:

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ATTACHMENT 1

JUSTIFICATION FOR CONFIDENTIAL CLASSIFICATION

Document	Page(s) or Tab	Column	Lines	Description	Statutory Justification
Hearing Exhibit No. 102-5/10 Board P-2021 Workshop (Excerpts)	18	Interstate Pipeline	Entities	Identity of Party Responding to Gas Supply Lateral RFP	§366.093(3)(d)-(e), Fla. Stat
			Estimated 2021 NPV Cost of 30" Lateral	Terms of RFP Response	§366.093(3)(d)-(e), Fla. Stat
			Assurance of Future Capacity	Terms of RFP Response	§366.093(3)(d)-(e), Fla. Stat
		Intrastate Pipeline	Entities	Identity of Party Responding to Gas Supply Lateral RFP	§366.093(3)(d)-(e), Fla. Stat
			Estimated 2021 NPV Cost of 30" Lateral	Terms of RFP Response	§366.093(3)(d)-(e), Fla. Stat
			Assurance of Future Capacity	Terms of RFP Response	§366.093(3)(d)-(e), Fla. Stat
		Minority Co-Ownership	Entities	Identity of Party Responding to Gas Supply Lateral RFP	§366.093(3)(d)-(e), Fla. Stat
			Estimated 2021 NPV Cost of 30" Lateral	Terms of RFP Response	§366.093(3)(d)-(e), Fla. Stat
			Assurance of Future Capacity	Terms of RFP Response	§366.093(3)(d)-(e), Fla. Stat
	34	Resource	N/A	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
	35	Resource	N/A	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
	36	SGS 2x1 Portfolio	Original Resource Mix	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
			Revised Resource Mix	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
		CPP/CC Portfolio	Original Resource Mix	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat

			Revised Resource Mix	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
		Limited Build Risk: Shady Hills Portfolio	Original Resource Mix	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
			Revised Resource Mix	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
37	SGS 2x1 Portfolio		Resources	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
	CPP/CC Portfolio		Resources	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
	Limited Build Risk: Shady Hills Portfolio		Resources	Identities of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
44	\$/MWh	2018-2036	N/A	Seminole Wholesale Pricing Data	§366.093(3), Fla. Stat
			Non-Fuel	Seminole Wholesale Pricing Data	§366.093(3), Fla. Stat
			Fuel	Seminole Wholesale Pricing Data	§366.093(3), Fla. Stat
			Net Margin	Seminole Wholesale Pricing Data	§366.093(3), Fla. Stat
54	\$/MWh		N/A	Seminole Wholesale Pricing Data	§366.093(3), Fla. Stat
55	\$/MWh		N/A	Seminole Wholesale Pricing Data	§366.093(3), Fla. Stat
56	\$/MWh		N/A	Seminole Wholesale Pricing Data	§366.093(3), Fla. Stat
	SGS 2x1 LTSA Expense		N/A	Terms of LTSA RFP Response	§366.093(3)(d)-(e), Fla. Stat
57	\$/MWh		N/A	Seminole Wholesale Pricing Data	§366.093(3), Fla. Stat
	SGS 2x1 LTSA Expense		N/A	Terms of LTSA RFP Response	§366.093(3)(d)-(e), Fla. Stat

Hearing Exhibit No. 103- 7/12/17 P-2021 Process Update (Excerpts)	16	Resource	N/A	Identifies of bidders who responded to Seminole RFP	§366.093(3)(d)-(e), Fla. Stat
	20	\$/MWh	N/A	Seminole Wholesale Pricing Data	§366.093(3), Fla. Stat
	25	\$/MWh	N/A	Seminole Wholesale Pricing Data	§366.093(3), Fla. Stat
Hearing Exhibit No. 116- Seminole annual income statements/ revenue projections, CPP and no-build risk, all-PPA portfolios, 2017 to 2051	All	All	All	Seminole Financial Statements	§366.093(3)(d)-(e), Fla. Stat