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June 10, 2019

Hand Delivery

Mr. Adam Teitzman, Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

REDACTED

Re: Docket No. 20190127-GU- Petition for Approval of Transportation Service Agreement for Palm Beach County with Florida Public Utilities Company ("PB Expansion") by Peninsula Pipeline Company, Inc.

Dear Mr. Teitzman:

Enclosed for filing, please find the original and seven copies of Florida Public Utilities Company's Request for Confidential Classification of certain information contained in the above-referenced transportation service agreement. Also enclosed are one highlighted, and two redacted copies of the pertinent responses, consistent with 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.

Kind regards,



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

Petition for Approval of Transportation) DOCKET NO.
Service Agreement for Palm Beach County with)
Florida Public Utilities Company (“PB Expansion”)) FILED: June 10, 2019
By Peninsula Pipeline Company, Inc.)
_____)

FLORIDA PUBLIC UTILITIES COMPANY’S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Florida Public Utilities Company (“FPUC” 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 for information contained in Exhibit A (Transportation Services Agreement) to its Petition for Approval of Firm Transportation Service Agreement with Peninsula Pipeline Company, Inc. (“PPC”) for an extension and service in Palm Beach County. In support thereof, FPUC hereby states:

1. FPUC seeks confidential classification of the highlighted rates and terms in the Company’s Exhibit A to the Firm Transportation Service Agreement, which represent contractual information that both Peninsula and FPUC treat as proprietary confidential business information consistent with the definition of that term in Section 366.093, Florida Statutes, as well as cost and pricing information in the Petition that FPUC also considers proprietary confidential business information.
2. The information for which FPUC seeks confidential classification is information that the Company and Peninsula both treat as confidential, and that meets the definition of “proprietary confidential business information” as set forth in Section 366.093(3), Florida Statutes, which provides:

Petition for Approval of Transportation Agreement/Palm Beach County

(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.

3. Specifically, FPUC seeks confidential classification of the highlighted information in Exhibit A to the Firm Transportation Service Agreement, at p. 8. The subject information is set forth and referenced as follows:

- Data associated with line identified as: "Total MDTQ (Dekatherms), page 9
- Data associated with and in the first line of section titled: "Monthly Reservation Charge", page 9

4. Included with this Request is a highlighted copy of Exhibit A to the Firm Transportation Service Agreement reflecting the confidential information. Also enclosed are two redacted copies of the referenced pages.

5. FPUC asks that confidential classification be granted for a period of at least 18 months. Should the Commission determine that it no longer needs to retain the information, the Company respectfully requests that the confidential information be returned to the Company.

WHEREFORE, FPUC respectfully requests that the highlighted information contained in Exhibit A to the Firm Transportation Service Agreement be classified as “proprietary confidential business information,” and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 10th day of June, 2019.

By:

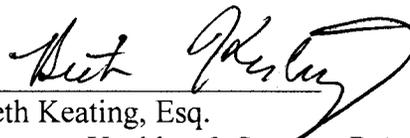


Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

CERTIFICATE OF SERVICE

I HEREBY ATTEST that a true and correct copy of the foregoing Request has been served upon the following by U.S. Mail and/or Electronic Mail this 10th day of June, 2019:

Honorable J.R. Kelly
Office of Public Counsel
c/o the Florida Legislature
111 West Madison Street, Rm 812
Tallahassee, FL 32399-1400
Kelly.jr@leg.state.fl.us



Beth Keating, Esq.
Gunster, Yoakley & Stewart, P.A.
215 S. Monroe St., Ste 601
(850) 521-1706

PENINSULA PIPELINE COMPANY, INC.
FIRM TRANSPORTATION SERVICE AGREEMENT

EXHIBIT A

TO

FIRM TRANSPORTATION SERVICE AGREEMENT

BETWEEN

PENINSULA PIPELINE COMPANY, INC.

AND

FLORIDA PUBLIC UTILITIES COMPANY

DATED

May 17th, 2019

<u>Description of Delivery Point(s)</u>	<u>Description of Point(s) of Delivery</u>	<u>MDTQ, in Dekatherms, excluding Fuel Retention</u>
See Below	See Below	████████ Dt/Day

Total MDTQ (Dekatherms): ██████████ Dt/Day

MHTP: 6%

Monthly Reservation Charge: \$ ██████████

The Company shall provide written notification to Shipper that the Palm Beach County Pipeline has been completed and establish an in-service date. The Parties recognize that the Palm Beach County Pipeline may be completed in segments with each segment placed into service as completed. In such event, the Company may provide written notification of the in-service date of each segment, whereupon the Company may begin to charge Shipper a pro rata portion of the Monthly Reservation Charge associated with the in-service segment.

PENINSULA PIPELINE COMPANY, INC.
FIRM TRANSPORTATION SERVICE AGREEMENT

EXHIBIT A

TO

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PENINSULA PIPELINE COMPANY, INC.

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