

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: August 16, 2019

TO: Division of Economics, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20190002-EG

DOCUMENT NO: 08131-2019

DESCRIPTION: FPUC (Keating) - (CONFIDENTIAL) Certain material contained in responses to OPC's 1st requests for PODs (Nos. 1-14); specifically, responses to requests Nos. 4 and 9, titled responses to OPC PODs-2018 and Bates labeled FPUC 02-0001 through 02-0482.

SOURCE: Florida Public Utilities Company

The above confidential material was filed along with a 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.

This response was prepared by Charles Morgan on August 20, 2019, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.


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

DATE: August 20, 2019
TO: Margo A. DuVal, Senior Attorney, Office of the General Counsel
FROM: Charles Morgan, Public Utility Analyst II, Division of Economics 
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

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DESCRIPTION: FPUC (Keating)- (CONFIDENTIAL) Certain material contained in responses to OPC's 1st requests for PODs (Nos. 1-14); specifically, responses to requests Nos. 4 and 9, titled responses to OPC PODs-2018 and Bates labeled FPUC 02-0001 through 02-0482

SOURCE: Florida Public Utilities Company

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Public Utilities Company (FPUC) requests confidential classification of certain information filed in response to an Office of Public Counsel (OPC) Production of Documents (POD), in the above referenced docket, dated August 15, 2019. This recommendation specifically addresses the highlighted amounts included in the Excel spreadsheet titled "Responses to OPC POD's_2018."

FPUC is claiming confidentiality of yellow highlighted information and information printed on yellow stock paper in its response to OPC's First Production of Documents, the Excel file titled "Responses to OPC POD's_2018" under Section 366.093(3)(d), F.S. Per the Statute, propriety or confidential business information includes, but is not limited to; Subsection (d) "[i]nformation 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."

The information provided in response to OPC's First Production of Documents, the spreadsheet titled "Responses to OPC POD's_2018", for which confidential treatment is being sought, can be described as payment amounts made to third parties for assistance with the 2020 FEECA Goalsetting process.

Staff has reviewed the information FPUC filed in response to OPC's First Production of Documents and the spreadsheet titled "Responses to OPC POD's_2018", as well as the Company's confidentiality request. It is staff's opinion that the information that is the subject of

this request meets the criteria for confidentiality contained in Section 366.093(3)(d), F.S., as applies to the highlighted information in response to OPC's First Production of Documents, the spreadsheet titled "Responses to OPC POD's_2018."