



**GUNSTER**  
ATTORNEYS AT LAW

Writer's E-Mail Address: bkeating@gunster.com

May 26, 2021

**HAND DELIVERY**

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

**REDACTED**

Re: **[New Filing]** - Petition for Approval of Transportation Service Agreement for the City of Winter Haven with the Florida Division of Chesapeake Utilities Corporation by Peninsula Pipeline Company, Inc.

Dear Mr. Teitzman:

Attached for filing, please find the original and 7 copies of Peninsula Pipeline Company, Inc.'s Request for Confidential classification of portions of Attachment A to its Petition for Approval of Transportation Service Agreement with the Florida Division of Chesapeake Utilities Corporation. Also enclosed are one highlighted and two redacted copies of the subject information for which the Company seeks confidential classification.

As always, thank you for your assistance with this filing. Please do not hesitate to let me know if you have any questions whatsoever.

Sincerely,

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

MEK  
Enclosures  
cc:// (Service List)

|     |                             |
|-----|-----------------------------|
| COM | ___                         |
| AFD | ___                         |
| APA | ___                         |
| ECO | <u>6</u>                    |
| ENG | ___                         |
| GCL | <u>1</u> & 1 redacted Eth A |
| IDM | ___                         |
| CLK | ___                         |

RECEIVED-FPSC  
2021 MAY 26 PM 3:49  
COMMISSION  
CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of Transportation Service )  
Agreement for the City of Winter Haven with the Florida )  
Division of Chesapeake Utilities Corporation by )  
Peninsula Pipeline Company, Inc. )  
\_\_\_\_\_ )

Docket No.:

Filed: May 26, 2021

**PENINSULA PIPELINE COMPANY'S REQUEST FOR CONFIDENTIAL  
CLASSIFICATION FOR CERTAIN PORTIONS OF FIRM TRANSPORTATION  
SERVICE AGREEMENT WITH THE FLORIDA DIVISION OF CHESAPEAKE  
UTILITIES CORPORATION**

Peninsula Pipeline Company ("Peninsula" or "Company") by and through its undersigned counsel, pursuant to Section 366.093, Florida Statutes, and consistent with Rule 25-22.006(3), Florida Administrative Code, hereby submits its Request for Confidential Classification for information contained in Exhibit A (Firm Transportation Services Agreement) to its Petition for Approval of Transportation Service Agreement with the Florida Division of Chesapeake Utilities Corporation ("CHPK"). The information for which the Company seeks confidential treatment is information that is similar to that which the Commission has afforded confidential classification in prior cases, including by Order No. PSC-2012-0118-CFO-GU, issued March 14, 2012. In support thereof, Peninsula hereby states:

1. Peninsula seeks confidential classification of the highlighted rates and terms in the Agreement, which represent contractual information that both Peninsula and CHPK treat as proprietary confidential business information consistent with the definition of that term in Section 366.093, Florida Statutes.
2. The information for which Peninsula seeks confidential classification is information that the Company and CHPK 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:

- (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, Peninsula seeks confidential classification of the information in Exhibit A to the Firm Transportation Service Agreement, at p. 11. The subject information is set forth and referenced as follows:

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

Release of the referenced information as a public record would harm both Peninsula and CHPK's business operations and ratepayers by impairing the Companies' respective abilities to effectively negotiate for goods and services. Thus, the information meets the definition of

“proprietary confidential business information” as set forth in Section 366.093(3)(e), Florida Statutes. As such, Peninsula requests that the Commission protect this information consistent with Rule 25-22.006, Florida Administrative Code.

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 Exhibit A to the Agreement.

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

WHEREFORE, Peninsula respectfully requests that the highlighted information contained in Exhibit A to its Firm Transportation Service Agreement with the Florida Division of Chesapeake Utilities Corporation (for City of Winter Haven) be classified as “proprietary confidential business information,” and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 26th day of May, 2021.



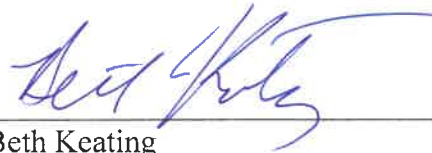
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Beth Keating  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe St., Suite 601  
Tallahassee, FL 32301  
(850) 521-1706

**CERTIFICATE OF SERVICE**

I HEREBY ATTEST that a true and correct copy of the foregoing Request, with a redacted copy of the Agreement, has been served upon the following by Electronic Mail (w/o confidential attachment) this 26th Day of May, 2021:

Richard Gentry, Public Counsel  
Office of Public Counsel  
c/o the Florida Legislature  
111 West Madison Street, Rm 812  
Tallahassee, FL 32399-1400  
Gentry.richard@leg.state.fl.us



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

PENINSULA PIPELINE COMPANY, INC.  
FIRM TRANSPORTATION SERVICE AGREEMENT

**EXHIBIT A**

**TO**

**FIRM TRANSPORTATION SERVICE**

**AGREEMENT BETWEEN**

**PENINSULA PIPELINE COMPANY, INC.**

**AND**

**THE FLORIDA DIVISION OF CHESAPEAKE UTILITIES**

**DATED**

**May 7, 2021**

| <u>Description of Transporter<br/>Delivery Point(s)</u>                                       | <u>Description of Point(s)<br/>of Delivery</u> | <u>MDTQ, in Dekatherms,<br/>excluding Fuel Retention</u> |
|---|--|--|
| Interconnection with FGT<br>Gate Station in Polk<br>County, Florida and<br>Peninsula Pipeline | See Below                                      | ████████ Dt/Day  |

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

MHTP: 4.17%

**Monthly Reservation Charge**

The Monthly Reservation Charge will be \$████████ (\$████████/DeKatherm), subject to adjustment pursuant to the terms of this Agreement.

The Company shall provide written notification to Shipper that the pipeline has been completed and establish an in-service date.

Description of Point(s) of Delivery:

Located on the north side of the intersection of Pollard Road and Logistics Pkwy