



GUNSTER
ATTORNEYS AT LAW

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August 12, 2021

HAND DELIVERY

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

REDACTED

Re: Docket No. 20210106-GU: Petition for approval of transportation service agreement between Peninsula Pipeline Company, Inc. and Florida Division of Chesapeake Utilities Corporation.

Dear Mr. Teitzman:

Attached for filing, please find the original and 7 copies of Peninsula Pipeline Company, Inc.'s Amended and Supplemental Request for Confidential Classification of portions Attachment A (as well as Amended Attachment A) to the Companies' Petition in this proceeding. 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

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Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of transportation service)
agreement between Peninsula Pipeline Company, Inc.) Docket No.: 20210106-GU
and Florida Division of Chesapeake Utilities)
Corporation.) Filed: August 12, 2021
_____)

**PENINSULA PIPELINE COMPANY’S AMENDED AND SUPPLEMENTAL 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 Amended Request for Confidential Classification for information contained in Attachment 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. This Amended Request corrects the initial request submitted on May 26, 2021 in this proceeding. It has come to Peninsula’s attention recently that there is a pagination error in the Firm Transportation Services Agreement, which is Attachment A to the Companies’ Petition. A corrected Attachment A is being submitted under separate cover today. The correction, however, impacts the exhibit to the Agreement, which contains confidential information, and therefore necessitates that Peninsula’s May 26, 2021 Request for Confidential Classification also be amended, as well as extended to apply to the corrected

version of Attachment A. The basis for Peninsula's request, as well as the rationale, are otherwise unchanged. 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. 10. 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.

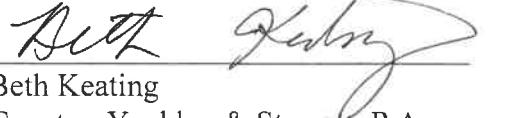
4. Included with this Request is a highlighted copy of Exhibit A to the Firm Transportation Service Agreement reflecting the confidential information. Also enclosed are two redacted copies of Exhibit A to the Agreement.

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), both as filed on May 26, 2021, and

as filed this August 12, 2021 under separate cover, be classified as "proprietary confidential business information," and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 12th day of August, 2021.

A handwritten signature in black ink, appearing to read "Beth Keating", written over a horizontal line.

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 Delivery Point(s)</u>	<u>Description of Point(s) of Delivery</u>	<u>MDTQ, in Dekatherms, excluding Fuel Retention</u>
Interconnection with FGT Gate Station in Polk County, Florida and 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

PENINSULA PIPELINE COMPANY, INC.
FIRM TRANSPORTATION SERVICE AGREEMENT

EXHIBIT A

TO

FIRM TRANSPORTATION SERVICE

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PENINSULA PIPELINE COMPANY, INC.

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THE FLORIDA DIVISION OF CHESAPEAKE UTILITIES

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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