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June 21, 2022

BY HAND DELIVERY

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

REDACTED

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COMMISSION CLERK

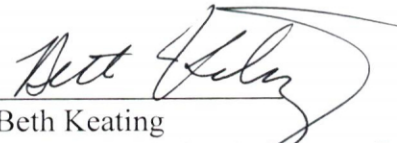
Re: Docket No. 20220049-EI: Review of Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Florida Public Utilities Company

Dear Mr. Teitzman:

Enclosed for filing, please find the original and 7 copies of Florida Public Utilities Company's Request for Confidential Classification regarding the Testimony of Kevin Mara for the Office of Public Counsel. Included with this request are two redacted copies of the pages containing confidential information, as well as one highlighted copy in accordance with Rule 25-22.006, F.A.C. [See also documents 3317-2022, 3314-2022 and 3473-2022].

Thank you for your assistance with this filing. As always, please don't 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

- COM _____
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- IDM _____
- CLK _____

MEK
cc:(Docket Service List)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Storm Protection Plan
pursuant to Rule 25-6.030, F.A.C., Florida
Public Utilities Company

DOCKET NO. 20220049-EI

DATED: June 21, 2022

**FLORIDA PUBLIC UTILITIES COMPANY'S REQUEST FOR CONFIDENTIAL
CLASSIFICATION AND MOTION FOR PROTECTIVE ORDER**

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(3), Florida Administrative Code, hereby submits its Request for Confidential Classification for certain information contained in the Testimony of Kevin J. Mara, submitted by the Office of Public Counsel ("OPC") on May 31, 2022, in the instant docket. That same day, FPUC also submitted its Notice of Intent to Request Confidential Classification. The document contains proprietary confidential information consisting of detailed location information of key structures and system information regarding FPUC's facilities on Amelia Island. This information, at this level of detail, is treated by the Company as confidential, as disclosure of this information presents significant security concerns. Release of the referenced information as a public record would substantially increase the risk of physical or cyber harm to FPUC's business operations and ratepayers by impairing its ability to effectively and safely provide service to customers on the island. Thus, the information meets the definition of "proprietary confidential business information" as set forth in Section 366.093(3)(c), Florida Statutes. The information corresponds to information for which FPUC requested Confidential Classification in this same docket on May 17, 2022. FPUC asks that the information as contained in Mr. Mara's testimony

also be afforded confidential treatment in accordance with Rule 25-22.006, Florida Administrative Code. In support thereof, FPUC hereby states:

1. Specifically, FPUC seeks confidential classification of the information contained at page 24, line 16, through page 25, line 6 of Mr. Mara's testimony.

2. The information for which FPUC seeks confidential classification is information that it treats 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. The subject information provides detailed location information regarding key structures and system information regarding FPUC's facilities on Amelia Island. This information, at this level of detail, is treated by the Company as confidential, as disclosure of this information presents significant security concerns. Release of the referenced information as a public record would substantially increase the risk of physical or cyber harm to FPUC's business operations

and ratepayers by impairing its ability to effectively and safely provide service to customers on the island. Thus, the information meets the definition of "proprietary confidential business information" as set forth in Section 366.093(3)(c), Florida Statutes. As such, FPUC 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 pages 24 and 25 of Mr. Mara's testimony reflecting the confidential information. Also enclosed are two redacted copies of the diagram.

5. FPUC 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, FPUC respectfully requests that the confidential information be returned to the Company.

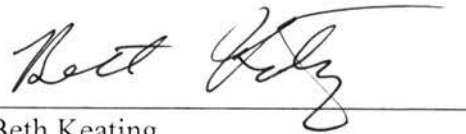
6. To the extent this information is also held by OPC and contained in the testimony of OPC's witness, FPUC asks that, to the extent appropriate, that the Commission also enter a Protective Order, pursuant to Rule 25-22.006(6)(c), protecting this information from public disclosure to the extent it is held by the Office of Public Counsel.

7. The information at issue falls squarely under Section 366.093(3)(c), Florida Statutes. Release of the referenced information as a public record would constitute a heightened security risk for the Company. As such, FPUC requests that the Commission grant this Request for Confidential Classification and Motion for Protective Order

8. FPUC has been authorized by counsel for OPC to represent that OPC does not object to the granting of this motion but reserves the right to contest the confidentiality of the subject documents.

WHEREFORE, FPUC respectfully requests that the identified portions of the Testimony of Kevin Mara for the Office of Public Counsel be classified as "proprietary confidential business information," and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 21st day of June, 2022.

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

CERTIFICATE OF SERVICE

I HEREBY ATTEST that a true and correct copy of the foregoing Request, with a redacted copy of the attachment, has been served upon the following by Electronic Mail (w/o confidential attachment) this 21st day of June, 2022:

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Jacob Imig Walt Trierweiler Lee Eng Tan Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 jimig@psc.state.fl.us wtrierwe@psc.state.fl.us ltan@psc.state.fl.us | Mike Cassel Florida Public Utilities Company 208 Wildlight Ave. Yulee, FL 32097 mcassel@fpuc.com |
| Richard Gentry/P. Christensen/A. Pirrello/S. Morse/Charles Rehwinkel/Mary Wessling Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 Gentry.Richard@leg.state.fl.us Rehwinkel.Charles@leg.state.fl.us Christensen.patty@leg.state.fl.us Morse.stephanie@leg.state.fl.us Pirrello.Anastacia@leg.state.fl.us Wessling.Mary@leg.state.fl.us | |

By: 
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1 overhead transmission line and 2.03 of 138kV submarine cable.²⁴ The majority of
2 the proposed route is not accessible by existing roads.²⁵

3 **Q. IS THIS NEW TRANSMISSION LINE NECESSARY FOR STORM**
4 **HARDENING?**

5 A. No. This new line is not necessary or prudent. The existing double circuit
6 transmission line is built on concrete poles with a few lattice steel towers at the
7 river crossing. FPUC states that the location of this transmission system makes
8 access to it very challenging.²⁶ However, the existing dual circuit transmission line
9 is adjacent to a four-lane highway providing better access than to most transmission
10 lines in Florida and the route has limited interference with trees along the majority
11 of the right-of-way. In addition, research by the Florida PSC found that very few
12 non-wood poles failed during hurricanes.²⁷ Thus by employing the good
13 maintenance practices as described in the FPUC 2022-2031 SPP, the existing
14 double circuit line will be hardened against extreme wind speeds of 120 mph with
15 Grade B strength factors.

16 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

²⁴ See FPUC Storm Protection Plan, p. 34.
²⁵ See FPUC's Response to OPC's First Request for Production of Documents.
²⁶ Direct Testimony of P. Mark Cutshaw, p. 11, line 15.
²⁷ See Exhibit KJM-2, State of Florida Public Service Commission, *Review of Florida's Electric Utility Hurricane Preparedness and Restoration Actions 2018*, July 2018, pp.29-30.

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

7 Further, the proposed new 10.8 miles of new 138 kV transmission line and
8 cable route is a very poor right-of-way which is why a submarine cable is proposed.
9 The poles would be in low lying areas with no access roads currently in place. This
10 line will access an alternate power source that is presently available to FPUC
11 through JEA's transmission system and therefore adds no value under the standards
12 of the SPP Statute and Rule.

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**Q. WHAT IS YOUR RECOMMENDATION FOR THIS PROJECT OF A NEW
138 KV TRANSMISSION LINE TO AMELIA ISLAND?**

A. I recommend this project be excluded from the SPP because it is not a prudent
investment. This recommendation is based on my review of the existing system
configuration, access to the existing line, the fact that the existing line is relatively
short with limited exposure and is built with 100% concrete poles and lattice steel
tower specifically designed for extreme wind.

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**Q. WHAT IS THE PURPOSE OF THE UPGRADE OF THE 69 KV
TRANSMISSION LINE AND THE UPGRADE TO AN EXISTING 69 KV**