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August 09, 2022

VIA HAND DELIVERY

Mr. Adam Teitzman
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

REDACTED

**Re: Docket No. 20220069-GU
Florida City Gas's Request for Confidential Classification**

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida City Gas's ("FCG") Request for Confidential Classification of Information contained in its response to the Federal Executive Agencies' ("FEA") Second Request for Production of Documents No. 12. The Request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the confidential document, wherein all the information that FCG asserts is entitled to confidential treatment has been highlighted, that is the subject of FCG's Request for Confidential Classification. Some of the documents are voluminous and are being provided in electronic format on a disk. Exhibit B is an edited version of Exhibit A, in which the information FCG asserts to be confidential has been redacted. Since the documents that are the subject of this Request are confidential in their entirety, FCG has included only identifying cover pages in Exhibit B. Exhibit C is a justification table in support of FCG's Request for Confidential Classification. Exhibit D contains the declaration in support of FCG's Request. In accordance with Rule 25-22.006(3)(d), FCG requests confidential treatment of the information in Exhibit A pending disposition of FCG's Request for Confidential Classification.

- COM _____
- AFD _____
- APA _____
- ECO _____
- ENG** _____
- GCL _____
- IDM _____
- CLK _____

Please contact me if you or your Staff has any questions regarding this filing.

Sincerely,

/s/ Joel T. Baker
Joel T. Baker
Fla. Bar No. 0108202

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COMMISSION CLERK

Enclosures

1 Exh "B"

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida City Gas for Base
Rate Increase.

Docket No. 20220069-GU

Filed: August 09, 2022

**FLORIDA CITY GAS'S REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF CERTAIN INFORMATION CONTAINED IN ITS RESPONSE TO THE
FEDERAL EXECUTIVE AGENCIES' SECOND REQUEST FOR PRODUCTION
OF DOCUMENTS (NO. 12)**

Pursuant to Section 366.093, Florida Statutes ("F.S."), and Rule 25-22.006, Florida Administrative Code, Florida City Gas ("FCG") hereby requests confidential classification of certain information provided in its response to the Federal Executive Agencies' ("FEA") Second Request for Production of Documents No. 12, (referred to herein as the "Confidential Information"). In support of its Request, FCG states as follows:

1. FCG served its responses to FEA's Second Request for Production of Documents on August 9, 2022. This request is being filed contemporaneously with service of those responses to request confidential classification of a document contained in FCG's response to FEA's Second Request for Production of Documents No. 12, consistent with Rule 25-22.006, Florida Administrative Code. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a copy of the confidential document on which all the information that FCG asserts is entitled to confidential treatment has been highlighted. Some of the documents are voluminous and are being provided in electronic format on a disk.

b. Exhibit B consists of a redacted copy of the confidential document. Since the document that is the subject of this Request is confidential in its entirety, FCG has added an insert page so indicating.

c. Exhibit C is a table that identifies the document for which confidential treatment is being sought and references the specific statutory basis for the claim of confidentiality. Exhibit C also identifies the declarant who supports the requested classification.

d. Exhibit D contains the declaration of Kathleen Slattery in support of this Request.

2. The Confidential Information is intended to be and has been treated by FCG as private, its confidentiality has been maintained, and its disclosure would cause harm to FCG and its customers. Pursuant to Section 366.093, F.S., such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

3. As described in the declaration included in Exhibit D, the Confidential Information that is the subject of this Request contains information relating to competitive interests, the disclosure of which would impair the competitive business the provider of the information. Specifically, the Confidential Information that is the subject of this Request involves pension plan balances and earnings. This information is protected by Sections 366.093(3)(e), F.S.

4. Upon a finding by the Commission that the Confidential Information is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FCG as soon as the information is no longer necessary for the Commission to conduct its business. *See* Section 366.093(4), F.S.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials, Florida City Gas respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted this 9th day of August 2022.

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Fax: 561-691-7135
Email: joel.baker@fpl.com

By: /s/ Joel T. Baker
Joel T. Baker
Fla. Bar No. 0108202

EXHIBIT B

REDACTED

The documents responsive to FEA's Second Request for Production of Documents No. 12, Attachment 2, Bates Nos. FCG 004725-004742, are confidential in their entirety.

The documents responsive to FEA's Second Request for Production of Documents No. 12, Attachment 3, Bates Nos. FCG 004743-004749, are confidential in their entirety.

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida City Gas
TITLE: Petition by Florida City Gas for Base Rate Increase.
DOCKET NO.: 20220069-GU
DATE: August 9, 2022

Int/POD No.	Description	Bates Nos.	Page No. Line / Column	Florida Statute 366.093(3) Subsection	Declarants
FEA 2nd POD, No. 12, Attachment 2	2018-2021 Pension	004725- 004742	All	(e)	Kathleen Slattery
FEA 2nd POD, No. 12, Attachment 3	Pension - Projected	004743- 004749	All	(e)	Kathleen Slattery

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida City Gas for Base Rate
Increase.

Docket No: 20220069-GU

DECLARATION OF KATHLEEN SLATTERY

1. My name is Kathleen Slattery. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director, Executive Services and Compensation. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in Florida City Gas's ("FCG") Request for Confidential Classification, specifically the materials provided in response to the Federal Executive Agencies' ("FEA") Second Request for Production of Documents No. 12. The documents or materials that I have reviewed and which are asserted by FCG to be proprietary confidential business information contain information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the information contains pension fund balances and earnings. To the best of my knowledge, FCG has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 18 months. In addition, they should be returned to FCG as soon as the information is no longer necessary for the Commission to conduct its business so that FCG can continue to maintain the confidentiality of these documents.

4. Under penalties of perjury, I declare that I have read the foregoing declaration and that the facts stated in it are true to the best of my knowledge and belief.


Kathleen Slattery

Date: 8/4/2022