

August 16, 2022

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

**BY HAND DELIVERY**

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

**REDACTED**

Re: [New Filing] - In re: Joint Petition for Approval of Transportation Service Agreement to reflect Expansion of Wildlight by Florida Public Utilities Company and Peninsula Pipeline Company, Inc.

Dear Mr. Teitzman:

Enclosed for filing, please find the original and 7 copies of Peninsula Pipeline's Request for Confidential Classification of certain information contained in its Transportation Service Agreement with Florida Public Utilities Company, which has been submitted today along with the Joint Petition for Approval of Transportation Service Agreement to reflect Expansion of Wildlight. Included with this Request are one highlighted, and two redacted versions of the page containing the confidential information.

Thank you for your assistance with this filing. As always, please don't hesitate to let me know if you have any questions.

Sincerely,



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

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Cc: Office of Public Counsel

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition for Approval of	)	DOCKET NO.
Transportation Service Agreement to reflect	)	
Expansion of Wildlight by Florida Public	)	
Utilities Company and Peninsula Pipeline	)	FILED: August 16, 2022
Company, Inc.	)	

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**PENINSULA PIPELINE COMPANY’S REQUEST FOR CONFIDENTIAL  
CLASSIFICATION FOR CERTAIN PORTIONS OF FIRM TRANSPORTATION  
SERVICE AGREEMENT WITH FLORIDA PUBLIC UTILITIES COMPANY**

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 Attachment A (Firm Transportation Services Agreement) to its Joint Petition for Approval of Transportation Service Agreement with Florida Public Utilities Company (“FPUC”). 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 FPUC 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 FPUC 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:

- The dollar amounts associated with the sections titled: "Phase 1 Pipeline Segments Monthly Reservation Charges" and "Phase 2 Pipeline Segments Monthly Reservation Charges"
- Data in the lines identified as "MDTQ, in Dekatherms" and "MHTP" and
- The dollar amounts in the last section pertaining to the Monthly Reservation Charge on a per dekatherm/per day basis.

Release of the referenced information as a public record would harm both Peninsula and FPUC'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 Florida Public Utilities Company for the Wildlight Expansion be classified as "proprietary confidential business information," and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 16th day of August, 2022.



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 16th Day of August, 2022:

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

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

**EXHIBIT A TO**  
**FIRM TRANSPORTATION SERVICE AGREEMENT**  
**BETWEEN**  
**PENINSULA PIPELINE COMPANY, INC. AND**  
**FLORIDA PUBLIC UTILITIES COMPANY**

**DATED**  
July 8, 2022

**Phase I Construction**

Description of Transporter Delivery Point(s)

1. At or near Radio Road and SR 17
2. Secondary Alternate Fuel Injection Point

Phase I Description of Point(s) of Delivery

1. At or near Crosstown Avenue and SR 200 (a)
2. At or near Still Quarters Road and SR 200 (b)
3. At or near Pages Dairy Road and Felmor Road (d)

**Phase II Points of Delivery**

1. Location TBD at or near the Chester Road and Heron Isles Parkway

**Phase I Pipeline Segments Monthly Reservation Charges:**

- |  |            |
|--|------------|
| Segment I (a) – Near Crosstown Avenue and SR 200         | ██████████ |
| Segment I (b) – Near Felmor Road and SR 200              | ██████████ |
| Segment I (c) – Secondary Alternate Fuel Injection Point | ██████████ |
| Segment I (d) – Near Pages Dairy and Felmor Road         | ██████████ |
| <b>Phase I Total Monthly Reservation Charge</b>          | ██████████ |

**Phase II Pipeline Segments Monthly Reservation Charges:**

- |   |            |
|---|------------|
| Segment II (a) – TBD near Chester and Heron Isles Parkway | ██████████ |
|---|------------|

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

**MHTP:** ██████████

**Monthly Reservation Charge:** ██████████ (██████████/ Dth/Day). This charge is subject to adjustment pursuant to the terms of this Agreement and is additive to the Initial Monthly Reservation Charge<sup>1</sup>

<sup>1</sup> The Monthly Reservation Charge in this Agreement reflects the costs only for new facilities for additional gas receipt and Point(s) of Delivery locations on the extension north of Radio Road owned by Peninsula Pipeline Company, Inc. as set forth herein. This Agreement does not incorporate, revise or otherwise duplicate charges for Shipper's extant services in Nassau County from existing facilities which include an interconnection delivery point with the Southern Natural Gas Cypress pipeline on Crawford Road, delivery point(s) on the existing William Burgess Road facilities approved by the Commission in Docket No. 20140189-GU, and delivery across a portion of the Callahan pipeline and the Fernandina Beach Line approved by the Commission in Docket No 20190145-GU.