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March 2, 2023

BY HAND DELIVERY

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

REDACTED

Re: [New Filing] - Petition for Approval of Transportation Service Agreement with the Florida Public Utilities Company by Peninsula Pipeline Company, Inc. for service in and around the City of Lake Wales.

Dear Mr. Teitzman:

Enclosed for filing, please find the original and 7 copies of Peninsula Pipeline Company, Inc.'s Request for Confidential Classification of portions of the proposed Transportation Service Agreement ("TSA") with the Florida Public Utilities Company for service in and around the City of Lake Wales. Also included are one highlighted and two redacted copies of Exhibit A to the TSA, which contains the confidential information, provided in conformance with Rule 25-22.004, Florida Administrative Code.

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

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of Transportation Service)
Agreement with the Florida Public Utilities Company by)
Peninsula Pipeline Company, Inc. for service in and)
around the City of Lake Wales.)
)

Docket No.:

Filed: March 2, 2023

**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 Petition for Approval of Transportation Service Agreement with Florida Public Utilities Company (“FPU”). 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 FPU 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 FPU 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 of Attachment A to the Petition for Approval of Transportation Service Agreement filed under separate cover today. The subject information is set forth and referenced as follows:

- Data associated with line identified as: “Total MDTQ (Dekatherms)”
- Percentage reflected in the line titled “MHTP”
- Data/pricing 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 FPU'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

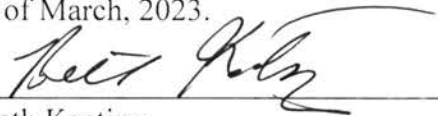
"proprietary confidential business information" as set forth in Section 366.093(3)(e), Florida Statutes. As such, Peninsula requests that the Commission protect this information consistent with Rule 25-22.006, Florida Administrative Code.

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 service in and around the City of Lake Wales) be classified as "proprietary confidential business information," and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 2nd day of March, 2023.


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

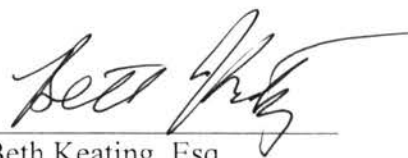
CERTIFICATE OF SERVICE

I HEREBY ATTEST that a true and correct copy of the foregoing Request for Confidentiality has been served upon the following by Electronic Mail (redacted only) this 2nd day of March, 2023:

Charles Rehwinkel, Interim Public Counsel
Office of Public Counsel
c/o the Florida Legislature
111 West Madison Street, Rm 812
Tallahassee, FL 32399-1400
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Keith Hetrick, General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
khetrick@psc.state.fl.us

By:



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

*Attorneys for Peninsula Pipeline
Company, Inc.*

PENINSULA PIPELINE COMPANY, INC.
FIRM TRANSPORTATION SERVICE

EXHIBIT A

FIRM TRANSPORTATION SERVICE AGREEMENT BETWEEN

PENINSULA PIPELINE COMPANY, INC.

AND

FLORIDA PUBLIC UTILITIES COMPANY

<u>Description of Transporter Delivery Point(s)</u>	<u>Description of Point(s) of Delivery</u>
<u>Florida Gas Transmission- Lake Wales gate station</u>	<u>Various delivery points terminating at or near Highway 60 and Dude Ranch Road</u>

Total MDTQ (Dekatherms): [REDACTED] Dt/Day

MHTP: [REDACTED]%

Monthly Reservation Charge: [REDACTED] ([REDACTED]/Dekatherm/day). This charge is subject to adjustment pursuant to the terms of this Agreement.

PENINSULA PIPELINE COMPANY, INC.
FIRM TRANSPORTATION SERVICE

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