

Writer's Direct Dial Number: (850) 521-1706  
Writer's E-Mail Address: bkeating@gunster.com

RECEIVED-FPSC  
2023 APR 24 PM 3:40  
COMMISSION  
CLERK

April 24, 2023

**VIA HAND DELIVERY**

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

**REDACTED**

**Re: New Filing:** Petition for Approval of Transportation Service Agreement for the City of Newberry with the Florida Public Utilities Company by Peninsula Pipeline Company, Inc.

Dear Mr. Teitzman:

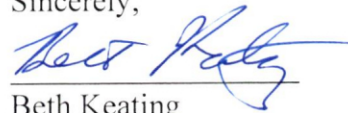
Attached for filing, please find the original and 7 copies of Peninsula Pipeline Company's Request for Confidential Classification of certain portions of Exhibit A of Amendment No. 1 to its Firm Transportation Service Agreement with Florida Public Utilities Company, which has been filed under separate cover today. With this request, the Company is submitting one highlighted copy of the subject Exhibit A identifying the confidential information, along two redacted copies.

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

MEK

COM	___
AFD	___
APA	___
ECO	6
ENG	___
GCL	1
IDM	___
CLK	___

Sincerely,



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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of Transportation )	
Service Agreement for the City of Newberry )	Docket No.:
with the Florida Public Utilities Company by )	
Peninsula Pipeline Company, Inc. )	Filed: April 24, 2023
)	

**PENINSULA PIPELINE COMPANY’S REQUEST FOR CONFIDENTIAL  
CLASSIFICATION FOR INFORMATION**

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 Exhibit A to the Firm Transportation Service Agreement with Florida Public Utilities Company (“FPUC”), submitted under separate cover today. 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, namely Order No. PSC-2018-0146-CFO-GU, issued March 19, 2018 in Docket No. 20180015-GU. In support thereof, Peninsula hereby states:

1. Peninsula seeks confidential classification of the highlighted information in Exhibit A to Amendment No. 1 to the Firm Transportation Service Agreement ("Contract") (page 10), in the line identifying the Total Maximum Daily Transportation Quantity (“Total MDTQ”). In addition, Peninsula seeks confidential classification of the information in the line that identifies the Monthly Reservation Charge. The information is directly related to the negotiated rates and terms of the Contract, which 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. Release of the referenced information as a public record would reveal the specific rate included in a competitive contract. Disclosure of this information would impair Peninsula's ability to compete for goods and services and provide its competitors with an unfair competitive advantage. As such, Peninsula requests that the Commission protect this information consistent with Rule 25-22.006, Florida Administrative Code. To the extent of Peninsula's knowledge, this information is not otherwise available in the public domain. Thus, the information meets the definition of “proprietary confidential business information” as set forth in Sections 366.093(3)(d) and (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. In addition, two redacted copies of the document are enclosed.

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 the Firm Transportation Service Agreement with FPUC be classified as "proprietary confidential business information," and thus, exempt from Section 119.07, Florida Statutes.

RESPECTFULLY SUBMITTED this 24th day of April, 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 24th day of April, 2023:

Walter Trierweiler, Public Counsel  
Office of Public Counsel  
c/o the Florida Legislature  
111 West Madison Street, Rm 812  
Tallahassee, FL 32399-1400  
Trierweiler.Walt@leg.state.fl.us

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 AGREEMENT  
**EXHIBIT A**  
**TO**  
**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- Trenton gate station</u>	<u>At or near the vicinity of the intersection of NW State Road 45 and NW 9<sup>th</sup> Place</u>

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

MHTP: 4.17%

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

PENINSULA PIPELINE COMPANY, INC.  
 FIRM TRANSPORTATION SERVICE AGREEMENT  
**EXHIBIT A**  
**TO**  
 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- Trenton gate station</u>	<u>At or near the vicinity of the intersection of NW State Road 45 and NW 9<sup>th</sup> Place</u>

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

MHTP: 4.17%

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