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June 6, 2023

**VIA ELECTRONIC FILING**

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

Re: Docket No. 20230023-GU; Petition for Rate Increase by Peoples Gas System, Inc.

Docket No. 20220219-GU; Peoples Gas System's Petition for Rate Approval of 2022  
Depreciation Study

Docket No. 20220212-GU; Peoples Gas System's Petition for Approval of Depreciation  
Rate and Subaccount for Renewable Natural Gas Facilities Leased to Others

Dear Mr. Teitzman:

Attached for filing in the above docket is Peoples Gas System, Inc.'s Motion for Temporary Protective Order pertaining to Peoples' Response to Office of Public Counsel's Eighth Set of Interrogatories (Nos. 235-237).

Thank you for your assistance in connection with this matter.

Sincerely,

A handwritten signature in blue ink that reads 'V. Ponder'.

Virginia Ponder

VLP/ne  
Attachment

cc: All parties of record (w/att.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for Rate Increase by Peoples Gas System, Inc.	DOCKET NO. 20230023-GU
Peoples Gas System’s Petition for Rate Approval of 2022 Depreciation Study	DOCKET NO. 20220219-GU
Peoples Gas System’s Petition for Approval of Depreciation Rate and Subaccount for Renewable Natural Gas Facilities Leased to Others	DOCKET NO. 20220212-GU FILED: June 6, 2023

**PEOPLES GAS SYSTEM INC.’S  
MOTION FOR TEMPORARY PROTECTIVE ORDER**

Peoples Gas System, Inc. (“Peoples” or “the company”), pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, hereby requests that the Commission issue a preliminary temporary protective order exempting from Section 119.07(1), Florida Statutes, certain information specified herein as requested by the Office of Public Counsel (“OPC”) through discovery, and for the protection of that information against public disclosure pending OPC’s review of it. In support of its Motion, the company states:

1. On May 17, 2023, OPC served on Peoples its Eighth Set of Interrogatories (Nos. 235-237) (“OPC’s Discovery Requests”).
2. On this date, Peoples has served its response to OPC’s Discovery Requests by posting its answers, responses, and responsive documents (collectively, “Response”) on a virtual SharePoint site that is accessible by both OPC and FIPUG. The company believes that all or portions of its Responses to the discovery requests specified on Exhibit “A” constitute “proprietary confidential business information” and has designated it as such by (1) highlighting it in yellow and (2) placing it in a segregated area of the SharePoint site for confidential information. Peoples considers

the highlighted information in its Response to be “proprietary confidential business information” that is entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes.

3. 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; and (f) employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. §366.093(3)(a)-(f), Florida Statutes. The confidential information that is the subject of this Motion falls within one or more of these statutory categories and, thus, constitutes proprietary confidential business information.

4. Attached hereto as Exhibit A is a description of the highlighted information.

5. Public disclosure of the highlighted information in question would adversely affect the economic interests of Peoples and its customers.

6. Rule 25-22.006, Florida Administrative Code, provides for protection of this type of information when a utility allows OPC to inspect or take possession of such information in the course of discovery. Subsection (6)(c) of this rule states:

(c) When a utility or other person agrees to allow Public Counsel to inspect or take possession of utility information for the purpose of determining what information is to be used in a proceeding before the Commission, the utility may request a temporary protective order exempting the information from Section 119.07(1), F.S. If the information is to be used in a proceeding before the Commission, then the utility must file a specific request for a protective order under paragraph (a) above. If the information is not to be used in a proceeding before the Commission, then Public Counsel shall return the information to

the utility in accordance with the record retention requirements of the Department of State.

7. Peoples requests a temporary protective order to allow OPC access to Peoples' confidential information that is posted on the SharePoint site as part of its Response while protecting the economic interests of Peoples and its customers from the harm that would result from public disclosure of the above-referenced confidential information. Peoples will work cooperatively with the parties to this proceeding to identify confidential information to be used at the final hearing in this docket and to request confidential classification as specified in the rule. To the extent that pre-filing of confidential documents is required, Peoples and the parties to this proceeding have further committed to work out a process to maintain both confidentiality of the information and preservation of the litigation rights of the respective parties consistent with Commission precedent. Furthermore, the parties have both agreed that the efficiency underlying this arrangement is not expected to require the closure of public access to hearings and that they will vigorously preserve confidentiality in accordance with applicable law while taking all reasonable steps to accomplish necessary litigation in a manner that does not require closure of hearings.

8. Peoples maintains the highlighted information in a confidential form and has not disclosed it publicly.

WHEREFORE, Peoples requests that the Commission issue a Temporary Protective Order allowing it to provide OPC with the confidential information described above while maintaining the confidential nature of that information.

DATED this 6<sup>th</sup> day of June, 2023

Respectfully submitted,



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ATTORNEYS FOR PEOPLES GAS SYSTEM, INC.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Preliminary Motion for Temporary Protective Order, filed on behalf of Peoples Gas System, Inc., has been furnished by electronic mail on this 6th day of June 2023 to the following:

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ATTORNEY

**Exhibit A**

**OPC'S EIGHTH SET OF INTERROGATORIES**

**235.** With regard to the July 6, 2019 Plantation, FL shopping center explosion (see, <https://www.cbsnews.com/miami/news/law-firm-says-animations-depict-2019-plantationexplosion/>), please provide a summary of all claims paid to plaintiffs (whether by settlement or judgment or otherwise), all legal and other related costs of any type incurred in relation to defending lawsuits filed as a result of the explosion, and all reimbursement, offsets, payments (or similar amounts that would be recorded as credits on your books) made to you by insurers or indemnifiers or others. Please also identify the net cost of all related litigation that was charged against the injuries and damages reserve and state whether there is an impact in the test year caused by the Company's role, involvement with, or connection to (including, but not limited to, settlement payments in compromise or judgments) the incident such that it affected the balance of test year rate base (working capital), the test year reserve balance or the test year expense accrual for the injuries and damages reserve. If there was such a test year impact, please quantify it and explain why customers should bear such costs in rates. If there was no effect on test year revenue requirements, please explain why.

**236.** With regard to the December 2020, Bradenton, FL residential explosion (see, <https://www.tampabay.com/news/business/2021/06/29/peoples-gas-sued-after-gasexplosion-killed-usf-student/>), please provide a summary of all claims paid to plaintiffs (whether by settlement or judgment or otherwise), all legal and other related costs of any type incurred in relation to defending lawsuits filed as a result of the explosion, and all reimbursement, offsets, payments (or similar amounts that would be recorded as credits on your books) made to you by insurers or indemnifiers or others. Please also identify the net cost of all related litigation that was charged against the injuries and damages reserve and state whether there is an impact in the test year caused by the Company's role, involvement with, or connection to (including, but not limited to, settlement payments in compromise or judgments) the incident such that it affected the balance of test year rate base (working capital), the test year reserve balance or the test year expense accrual for the injuries and damages reserve. If there was such a test year impact, please quantify it and explain why customers 5 should bear such costs in rates. If there was no effect on test year revenue requirements, please explain why.