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August 18, 2023

**VIA HAND DELIVERY**

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:

Enclosed for filing in the above docket is Peoples Gas System, Inc.'s Request for Confidential Classification of certain information contained in the July 31, 2023 deposition transcript of Lew Rutkin. Also enclosed is the public (redacted) version of this document.

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.)

RECEIVED-FPSC  
2023 AUG 18 AM 11:14  
COMMISSION  
CLERK

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: August 18, 2023

**PEOPLES GAS SYSTEM INC.'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
AND REQUEST FOR TEMPORARY PROTECTIVE ORDER**

Peoples Gas System, Inc. ("Peoples" or "the company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests confidential classification of the yellow highlighted information contained in the following described document(s) ("the Document(s)") stamped "CONFIDENTIAL" and all information that is or may be printed on yellow paper stock stamped "CONFIDENTIAL" within the Document(s), all of said confidential information being hereinafter referred to as "Confidential Information."

**Description of the Document(s)**

Pursuant to its notice of deposition filed on July 12, 2023, the Staff of the Florida Public Service Commission took the deposition of Lew Rutkin, Jr. on Monday, July 31, 2023. *See* DN 04040-2023. The company believes that portions of the transcript of Witness Rutkin's deposition, as specified on Exhibit "A," constitute Confidential Information and has designated it as such by highlighting. Contemporaneous with the filing of this request, Peoples submitted the Confidential Information to the Commission Clerk under a separate, confidential cover letter. Peoples requests confidential classification for this information such that it will be entitled to protection against

public disclosure pursuant to Section 366.093, Florida Statutes. In support of this request, the company states:

1. Subsection 366.093(1), Florida Statutes, provides that any records “found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records Act].” 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), Fla. Stat. The Confidential Information that is the subject of this request and motion falls within one or more of these statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

2. Attached hereto as Exhibit "A" is a justification for confidential treatment of the Confidential Information contained in the Documents.

3. Exhibit “B” contains the public versions of the Document with the Confidential Information.

4. The Confidential Information contained in the Document is intended to be and is treated by Peoples as private and has not been publicly disclosed.

5. For the same reasons set forth herein in support of its request for confidential classification, Peoples also moves the Commission for entry of a Temporary Protective Order pursuant to Rule 25-22.006(6)(a) of the Florida Administrative Code.

**Requested Duration of Confidential Classification**

6. Pursuant to Rule 25-22.006(9)(a), Peoples requests that the Confidential Information be treated by the Commission as confidential proprietary business information for 18 months. If, and to the extent that the company is in need of confidential classification of the Confidential Information beyond the 18-month period set forth in the Commission rule, the justification and grounds for such extended confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Peoples Gas System, Inc. respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein and for 18 months.

DATED this 18<sup>th</sup> day of August, 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 Motion, filed on behalf of Peoples Gas System, Inc., has been furnished by electronic mail on this 18<sup>th</sup> day of August, 2023 to the following:

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ATTORNEY

**EXHIBIT A  
JUSTIFICATION FOR CONFIDENTIAL TREATMENT**

<b><u>Page : Line Number(s)</u></b>	<b><u>Document Description</u></b>	<b><u>Description of Information</u></b>	<b><u>Justification</u></b>
16:5	The Deposition transcript of Witness Lew Rutkin, Jr., held on July 31, 2023.	The Highlighted Information	(1)

- (1) This information accordingly consists of “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” and “information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.” This information is protected by Section 366.093(3)(d) and (e) of the Florida Statutes.

**EXHIBIT B**  
**PUBLIC VERSION(S) OF THE DOCUMENT(S)**

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document(s) with the Confidential Information redacted.

Public Version(s) of the Document(s) attached

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Public Version(s) of the Document(s) attached

X

1 (confidential) until Peoples Gas meets its cost of  
2 service -- its return on service. And that was set up  
3 to help protect Peoples Gas customers. The percentage  
4 then goes down once the overall IR has been met, a  
5 [REDACTED] IR has been met.

6 So that was one, you know, one item that we  
7 put into the facility. The other thing I would say is  
8 the applicability of already having a digester at the  
9 site. So I mentioned that before, but that is a --  
10 there are not many projects that we are aware of that  
11 already have an existing digester, which is  
12 approximately 50 percent of the infrastructure, already  
13 at the site. So Peoples Gas saw that as a benefit to  
14 its customers by contracting with a local dairy farm  
15 that could bring, you know, gas into its pipeline system  
16 for its existing customers.

17 **Q Okay. So may I ask what happens if the**  
18 **project is unprofitable, who ends up paying?**

19 A Can you clarify what you mean by unprofitable?

20 **Q Just nonprofitable. It's not making money.**

21 **The environmental attributes aren't making money.**

22 A So I will just say, broadly overall, the  
23 project -- the RFS program that I mentioned, and these  
24 are federal programs, and there are state programs.  
25 These have been around over a decade. They are -- there



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**EXHIBIT C**  
**JUSTIFICATION FOR EXTENSION OF CONFIDENTIALITY PERIOD**

**N/A**