

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

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2023 AUG 21 AM 10:05
COMMISSION
CLERK

DATE: August 21, 2023
TO: Timothy Sparks, Senior Attorney, Office of the General Counsel
FROM: Michael C. Barrett, Economist Supervisor, Division of Economics
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

MCE

DOCKET NO: 20230004-GU DOCUMENT NO: 04331-2023

DESCRIPTION: PGSI (Ponder) - (CONFIDENTIAL) Highlighted information contained in response to staff's 1st request for PODs (Nos. 1-2).

SOURCE: Peoples Gas System, Inc.

Pursuant to Section 366.093 of the Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), People's Gas System, Inc. (PGSI or Company) requests confidential classification of highlighted information contained in the response to Staff's First Request for Production of Documents, Numbers 1 and 2. The Request for this data was filed on July 27, 2023, and is Document No. 04329-2023. The material that is subject of this request is found in Document No. 04331-2023.

The Company is claiming confidentiality for certain information in the response under Section 366.093(3), F.S. Per the referenced Statute, propriety of 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. The Company asserts that the information subject of this request falls within one or more of these statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. According to the Company, the information is intended to be and is treated by it as private information that has not not been publicly disclosed.

The information provided in the aforementioned exhibit for which confidential treatment is being sought can be described as competitively sensitive information. A justification summary is shown below:

Document Description	Bates Pages	Description of information	Justification
Request for proposal documents issued by the company to bidders in the development of the Commercial Walkthrough Audit program provided in response to Staff's 1 st Request for Production of Documents, No. 1.	28-32	The Highlighted Text	(3)
Documents that ranked or scored bids received in response to the request for proposal issued by the company for developing the Commercial Walkthrough Audit program provided in response to Staff's 1st Request for Production of Documents, No. 2.	36, 39, 43, and 45	The Highlighted Text	(1), (2)
Same as above.	44	The Highlighted Text	(1)
Same as above.	46	The Highlighted Text	(2)

(1) The highlighted text thus constitutes "information concerning bids ... 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 is protected under Section 366.093(3)(d), Florida Statutes.

(2) The highlighted information relates 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)(e), Florida Statutes.

(3) The highlighted information pertains to security measures, systems, or procedures. This information is protected under Section 366.093(3)(c).

Staff has reviewed the information contained in the responses to Staff's First Request For Production of Documents, Items 1 and 2, as well as the Company's confidentiality request. In staff's opinion, the information that is the subject of the confidentiality request does meet the criteria for confidentiality contained in Section 366.093(3), F.S. Therefore, staff recommends that the request for confidentiality of the afore-mentioned information included in Document No. 04331-2023 be approved.



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DATE: August 21, 2023

TO: Division of Economics, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 20230004-GU DOCUMENT NO: 04331-2023
DESCRIPTION: PGSI (Ponder) - (CONFIDENTIAL) Highlighted information contained in response to staff's 1st request for PODs (Nos. 1-2).
SOURCE: Peoples Gas System, Inc.

The above confidential material was filed along with a request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
- (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 information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Michelle Barrett on 8-21-23, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.