

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

April 18, 2024

BY HAND DELIVERY

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

REDACTED

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COMMISSION
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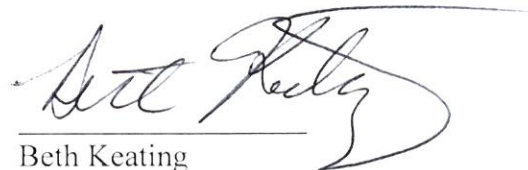
Docket No. 20240031-GU - Petition for approval of transportation service agreement with Florida Public Utilities Company by Peninsula Pipeline Company, Inc.

Dear Mr. Teitzman:

Enclosed for filing, please find the original and seven (7) copies of Peninsula Pipeline Company's Request for Confidential Classification for Exhibit A to its revised Transportation Agreement with Florida Public Utilities Company for the Lake Mattie system expansion. The Revised Transportation Service Agreement for the Lake Mattie Project is being provided under separate cover today.

As always, thank you for your assistance in connection with this filing. If you have any questions whatsoever, please do not hesitate to let me know.

Sincerely,



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

- COM _____
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- APA _____
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- ENG _____
- GCL 1 redacted copy
- IDM _____
- CLK _____

Cc: Certificate of Service

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: **Petition for approval of transportation
service agreement with Florida Public
Utilities Company by Peninsula Pipeline
Company, Inc.**)
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Docket No.: 20240031-GU

Filed: April 18, 2024

**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 of its revised Firm Transportation Service Agreement with Florida Public Utilities Company (“FPUC”) for its Lake Mattie Project, which has been 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 addition, this Request is submitted to reflect the revised Firm Transportation Service Agreement being submitted today for the Lake Mattie Project¹, but is otherwise consistent with the Company’s Request for Confidential Classification filed in this proceeding on February 7, 2024. To be clear, by this Request the Company is not intending to withdraw its prior request for confidentiality of both Exhibits A attached to Attachments A and B to the original Petition in this proceeding. In support thereof, Peninsula hereby states:

¹ Attachment B to the original Petition.

1. Peninsula seeks confidential classification of the highlighted information in Revised Exhibit A to the Firm Transportation Service Agreement for the Lake Mattie Project ("LM Contract") (page 16), in the line identifying the Total Maximum Daily Transportation Quantity ("Total MDTQ") and following line for the Maximum Hourly Transportation Percentage ("MHTP"). In addition, Peninsula seeks confidential classification of the information in the line that identifies the Monthly Reservation Charge, as well as the highlighted amount for the Unauthorized Use rate.. This information is directly related to the negotiated rates and terms of both the LM and PC Contracts, 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 revised Firm Transportation Service Agreement (Lake Mattie). 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 the attached Exhibit A to the revised, executed 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 18th day of April, 2024.



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 18th day of April, 2024:

Suzanne Brownless, Esquire
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
sbrownle@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.*

EXHIBIT A TO
FIRM TRANSPORTATION SERVICE AGREEMENT
BETWEEN
PENINSULA PIPELINE COMPANY, INC. AND
FLORIDA PUBLIC UTILITIES COMPANY

DATED

April 18, 2024

Description of Transporter Delivery Point(s)

1. Interconnect with Florida Gas Transmission at or near Lake Mattie Road
2. Interconnect with Florida Southeast Connection pipeline at or near East Hinson Avenue

Description of Point(s) of Delivery

1. At or near SR 557 and Buena Vista Drive
2. At or near Lake Mattie Road and SR 559
3. At or near Lake Tracy and US 17

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

MHTP: [REDACTED]

Total Monthly Reservation Charge: \$ [REDACTED] (\$ [REDACTED]/Dekatherm)

This charge is subject to adjustment pursuant to the terms of this Agreement.

Unauthorized Use Rate (In addition to Monthly Reservation Charge): [REDACTED]/Each Day of Unauthorized Use