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September 1, 2017

**HAND DELIVERY**

Ms. Carlotta Stauffer, Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RECEIVED-FPSC  
2017 SEP -1 PM 3:09  
COMMISSION  
CLERK

**REDACTED**


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

Dear Ms. Stauffer:

Attached for filing, please find the original and 7 copies of a Request for Confidential Classification of certain information contained in the Firm Transportation Service Agreement with Florida Public Utilities Company, which is submitted on behalf of Peninsula Pipeline Company, Inc.. In accordance with the Commission's Rules, also enclosed are one highlighted and two redacted copies of the pages for which this Request is submitted.

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

Kind regards,



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

cc:/ (Certificate of Service)

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**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.

Docket No.  
Filed: September 1, 2017

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**PENINSULA PIPELINE COMPANY, INC.**  
**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Peninsula Pipeline Company, Inc. (“Peninsula” or “Company”), by and through its undersigned counsel, pursuant to Section 366.093, Florida Statutes, and consistent with Rule 25-22.006(4), Florida Administrative Code, hereby submits its Request for Confidential Classification for information contained in Exhibit A to its Gas Firm Transportation Service Agreement with Florida Public Utilities Company (“FPUC”). In support of this request, Peninsula hereby states:

1. Peninsula seeks confidential classification of the highlighted information in Exhibit A to the Firm Transportation Service Agreement (“Contract”) (page 9), in the column identifying the Maximum Daily Transportation Quantity (MDTQ). Peninsula likewise seeks confidential classification of the same information as it is identified in the line below the columns on Exhibit A, which states the Total MDTQ. In addition, Peninsula seeks confidential classification of the information in the line that identifies the Monthly Reservation Charge, as well as the highlighted amount in the line reflecting the Unauthorized Use Rate also on Exhibit A. 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.

## Request for Confidential Classification

2. The information for which Peninsula seeks confidential classification is information that meets the definition of “proprietary confidential business information” as set forth in Section 366.093(3)(d), 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.

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.

Request for Confidential Classification

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 Gas 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 1st day of September, 2017.



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

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the following by Electronic Mail this 1st day of September, 2017.

Jennifer Crawford Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 jcrawfor@psc.state.fl.us	J.R. Kelly Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 <u>Kelly.JR@leg.state.fl.us</u>
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By:   
Beth Keating  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe St., Suite 601  
Tallahassee, FL 32301  
(850) 521-1706

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

DATED

August 25, 2017

<u>Description of Delivery Point(s)</u>	<u>Description of Point(s) of Delivery</u>	<u>MDTQ, in Dekatherms, excluding Fuel Retention</u>
Interconnection With FGT at the New Daytona West Gate Station in Volusia County, FL	See Below	██████████ / Day
Total MDTQ (Dekatherms):	██████████	/ Day
MHTP:	6%	
Monthly Reservation Charge:	██████████	

The Company shall provide written notification to Shipper that the New Smyrna Beach Line has been completed and establish an in-service date. The Parties recognize that the New Smyrna Beach Line may be completed in segments with each segment placed into service as completed. In such event, the Company may provide written notification of the in-service date of each segment, whereupon the Company may begin to charge Shipper a pro rata portion of the Monthly Reservation Charge associated with the in-service segment.

Unauthorized Use Rate (In addition to Monthly Reservation Charge): ██████████ Each Day of Unauthorized Use

PENINSULA PIPELINE COMPANY, INC.  
FIRM TRANSPORTATION SERVICE AGREEMENT

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