

Writer's E-Mail Address: bkeating@gunster.com

October 20, 2020

VIA HAND DELIVERY

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

REDACTED

RECEIVED-FPSC
2020 OCT 20 PM 5:00
COMMISSION
CLERK

Re: Docket No. 20200039-GU - Petition For Approval of Temporary Storm Cost Recovery Surcharge to Recover Incremental Storm Restoration Costs associated with Hurricane Michael by St. Joe Natural Gas Company, Inc.

Dear Mr. Teitzman:

Enclosed, please find the original and seven (7) copies of St. Joe Natural Gas's Request for Confidential Classification of portions of Attachment #10 to its responses to Staff's First Data Requests.

Thank you for your assistance with this filing. As always, please do not hesitate to contact me if you have any questions whatsoever.

COM _____
AFD 6
APA _____
ECO _____
ENG _____
GCL 1
IDM _____
MEK CLK _____

Sincerely,


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

cc:// Office of Public Counsel (Fall-Fry)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition For Approval of Temporary Storm) Docket No. 20200039-GU
Cost Recovery Surcharge to Recover)
Incremental Storm Restoration Costs)
associated with Hurricane Michael by St.)
Joe Natural Gas Company, Inc.) Filed: October 20, 2020
_____)

**ST. JOE NATURAL GAS COMPANY, INC.'S REQUEST FOR CONFIDENTIAL
CLASSIFICATION AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

St. Joe Natural Gas Company, Inc. ("SJNG" or "the Company"), pursuant to Section 366.093, Florida Statutes, and Rules 25-22.006(4) and (6), Florida Administrative Code, hereby submits this Request for Confidential Classification and Motion for Temporary Protective Order regarding certain material contained in its responses to Staff's First Data Requests to the Company. In support of this Request, SJNG states as follows:

1. The documentation includes contains information regarding itemized rates on invoices from a utility that provided assistance during the restoration efforts following Hurricane Michael. SJNG and this utility treat this information as highly confidential, proprietary business information in accordance with agreed upon contract terms. If this information is publicly disclosed, such disclosure could harm the Company's business interests, as well as those of its fellow utility.
2. Subsection 366.093(1), Florida Statutes, provides that upon request, records received by the Commission which are "found by the commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1)."
3. "Proprietary confidential business information" is defined as meaning "information, regardless of form or characteristics, which is owned or controlled by the ... company, is intended to be and is treated by the ... company as private in that the disclosure of the information would cause harm to the ratepayers or the 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." Section 366.093(3), Florida Statutes.

4. Proprietary confidential business information includes, but is not limited to, information concerning:

- (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.

Section 366.093(3), Florida Statutes.

5. The confidential portions of the referenced documents fall within these statutory definitions, and therefore constitute proprietary confidential business information entitled to protection under Section 366.093(d) Florida Statutes, and Rule 25-22.006, Florida Administrative Code. The information, which has been treated by SJNG as highly confidential and has not been publicly disclosed, constitutes information about payments made by SJNG pursuant to contract, which the parties treat as confidential in accordance with the terms of those contracts. This information, if disclosed, could impair the efforts of SJNG to obtain assistance from this utility in the future. The information therein is therefore proprietary confidential business information and is entitled to continued and ongoing protection under Section 366.093(d), Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

6. For these reasons, SJNG requests that the Commission grant confidential classification for the following referenced information.

Response	Document - Location	Rationale
DR #10	Attachment to Data Request #10	The customer account number on page 1 of the "Payment Coupon" and All monetary amounts in the last column of the category "Payroll and Payroll Related Cost."

7. The Company also asks that the Commission enter a Protective Order, pursuant to Rule 25-22.006(6)(c), protecting this information from public disclosure to the extent it is being provided the Office of Public Counsel.

8. Rule 25-22.006(6)(c), Florida Administrative Code, provides in pertinent part, as follows, with respect to a utility allowing OPC to depose, inspect and/or take possession of the utility's information:

a. [T]he utility may request a temporary protective order exempting the information from Section 119.07(1), Florida Statutes. 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, the Public Counsel shall return the information to the utility in accordance with the record retention requirements of the Department of State.

9. The information at issue falls squarely under Section 366.093(3)(d), Florida Statutes. Release of the referenced information as a public record would harm SJNG's business operations and ratepayers by impairing the Company's ability to effectively negotiate for goods and services. As such, SJNG requests that the Commission grant this Request for Confidential Classification and Motion for Protective Order.

WHEREFORE, SJNG respectfully requests that the Commission grant the highlighted information described herein confidential classification and enter a protective order protecting the referenced information provided to OPC in response to Commission Staff's First Data Requests to the Company.

RESPECTFULLY SUBMITTED this 20th day of October, 2020.

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

Attorneys for St. Joe Natural Gas Company, Inc.

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing has been served by Electronic Mail (confidential attachment by hand delivery or U.S. Mail) this 20th day of October, 2020, upon the following:

Shaw Stiller Kurt Shrader Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 sstiller@psc.state.fl.us kschrade@psc.state.fl.us
Office of Public Counsel Mireille Fall-Fry c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 fall-fry.mireille@leg.state.fl.us

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

10

PAYMENT COUPON

/4115706860096800059100180000044830004034195

4,1,1570,686009,6800059100,180000448,3,0004034195
Please mail this portion with your check

180000448 1 of 1

Cust. No. [REDACTED]	Inv. No.: 180000448
This Month's Charges	Amount Due
Past Due After	This Invoice
06/29/2019	\$ 40,341.95

ST. JOE GAS COMPANY
303 LONG AVE
PORT ST JOE FL 32456

Make check payable to FCG in USD and mail payments to address below

Florida City Gas
General Mail Facility
Miami FL 33188-0001

Florida City Gas

Federal Tax Id.#: 22-1869841

Invoice

Customer Number: [REDACTED]

Customer Name and Address

Invoice Number: 180000448

ST. JOE GAS COMPANY
303 LONG AVE
PORT ST JOE FL 32456

Invoice Date: 05/30/2019

4,1,1570,686009,6800059100,180000448,3,0004034195
Please retain this portion for your records

CURRENT CHARGES AND CREDITS

Customer No: [REDACTED] Invoice No: 180000448

Description	Amount
Mutual Assistance	40,341.95
For Inquiries Contact: Nisha Rana - 561-694-4821	Total Amount Due \$40,341.95 This Month's Charges Past Due After 06/29/2019

Oct 26-31, 2018
Nov 12-22, 2018

6 days
11 days

17 days total

10

FLORIDA CITY GAS
IO 6670000443 Activity

Category	Cost element name	Sum of Val.in rep.cur.
ADMINISTRATIVE AND GENERAL	Office Supplies	172.23
	Othr Exp Chrome Rvr	129.06
ADMINISTRATIVE AND GENERAL Total		301.29
PAYROLL AND PAYROLL RELATED COST	FCG Fund Welfare OH	[REDACTED]
	FCG Payroll Tax OH	[REDACTED]
	FCG Perf Incent OH	[REDACTED]
	FCG Unf Service OH	[REDACTED]
	FPL Subs Exempt ST	[REDACTED]
	FPLSubsNon-Exempt ST	[REDACTED]
PAYROLL AND PAYROLL RELATED COST Total		[REDACTED]
TRAVEL, SUBSISTENCE AND OTHER	Bus Trav-Lodging	881.14
	Bus Trav-Misc Exp	7.23
	M&E-50% Non-Deduct	750.00
TRAVEL, SUBSISTENCE AND OTHER Total		1,638.37
Grand Total		40,341.95

10

PAYMENT COUPON

/4115706860096800059100180000044830004034195

4,1,1570,886009,8800059100,1800000448,3,0004034195
Please mail this portion with your check

1800000448 1 of 1

Cust. No. [REDACTED]	Inv. No.: 1800000448
This Month's Charges	Amount Due
Past Due After	This Invoice
06/29/2019	\$ 40,341.95

ST. JOE GAS COMPANY
303 LONG AVE
PORT ST JOE FL 32456

Make check payable to FCG in USD and mail payments to address below

Florida City Gas
General Mail Facility
Miami FL 33188-0001

Florida City Gas

Federal Tax Id.#: 22-1868841

Invoice

Customer Number: [REDACTED]

Customer Name and Address

Invoice Number: 1800000448

ST. JOE GAS COMPANY
303 LONG AVE
PORT ST JOE FL 32456

Invoice Date: 05/30/2019

4,1,1570,886009,8800059100,1800000448,3,0004034195
Please retain this portion for your records

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Description	Amount
Mutual Assistance	40,341.95
For Inquiries Contact: Nisha Rana - 561-694-4621	Total Amount Due \$40,341.95 This Month's Charges Past Due After 06/29/2019

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	FCG Payroll Tax OH	[REDACTED]
	FCG Perf Incent OH	[REDACTED]
	FCG Unf Service OH	[REDACTED]
	FPL Subs Exempt ST	[REDACTED]
FPLSubsNon-Exempt ST	[REDACTED]	
PAYROLL AND PAYROLL RELATED COST Total		[REDACTED]
TRAVEL, SUBSISTENCE AND OTHER	Bus Trav-Lodging	881.14
	Bus Trav-Misc Exp	7.23
	M&E-50% Non-Deduct	750.00
TRAVEL, SUBSISTENCE AND OTHER Total		1,638.37
Grand Total		40,341.95