

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-

DATE: May 22, 2023

TO: Ryan Sandy, Senior Attorney; Major Thompson, Senior Attorney; Daniel Dose, Attorney; Office of the General Counsel

FROM: Jenny Wu, Senior Analyst, Division of Economics

RE: Peoples Gas System, Inc. - Docket Nos. 20230023-GU, 20220219-GU, and 20220212-GU - Confidentiality Request - Document No. 03250-2023

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Peoples Gas System, Inc. (PGS) requests confidential classification of highlighted information appearing in Document No. 03250-2023, filed on April 26, 2023, in response to Staff's First Request for Production of Documents (No. 1). The entire response consists of three Excel files, each containing certain confidential proprietary business information: (i) "CONF_35MM Installment plus bio gas pipe – PE" at Bates 2; (ii) "CONF_Final BME Rates 3-3-2023" at Bates 3; and (iii) "CONF_New Debt_Eq-levROE-03-07-23 Brightmark Update 7.9 MM Pipe Model Corporate SPM – PE" at Bates 4. The information included in these portions of Document No. 03250-2023 relates to a contract between PGS and Brightmark Sobek RNG, LLC.

PGS is claiming confidentiality of its highlighted portion of its response to Staff's First Request for Production of Documents (No. 1), under Section 366.093(3)(e), F.S. Per the statute, proprietary confidential business information includes, but is not limited to: Subsection (e) "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." The information provided in the aforementioned response, for which confidential treatment is being requested, contains competitive business information.

Staff has reviewed the information provided in PGS's response to Staff's First Request for Production of Documents (No. 1), 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 F.S. Therefore, staff recommends that the request for confidentiality of certain information included in Document No. 03250-2023 be approved.