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COMMISSION CLERK

December 14, 2023

VIA HAND DELIVERY

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

REDACTED

20230135-64

Re: [New Filing]- Petition for Approval of Transportation Service Agreements for the Boynton Beach and New Smyrna Beach projects with the 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 of information contained in its Transportation Service Agreement and Amended Agreement with Florida Public Utilities Company for the Boynton Beach and New Smyrna Beach projects, which have been filed under separate cover today. Included with this Request, consistent with Rule 25-22.006, F.A.C., are one highlighted and two redacted copies of the pages containing confidential information.

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

Sincerely,



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

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of Amendment to)	
Firm Transportation Service Agreement with)	Docket No.:
Florida Public Utilities Company, by Peninsula)	
Pipeline Company, Inc.)	Filed: December 14, 2023
)	

**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 two, separate Exhibits A, one to its Firm Transportation Service Agreement with Florida Public Utilities Company ("FPUC") for its Boyton Beach Project, and the other associated with Amendment No. 1 to the Firm Transportation Service Agreement with FPUC for its New Smyrna Project, both of which have 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 support thereof, Peninsula hereby states:

1. Peninsula seeks confidential classification of the highlighted information in Exhibit A to Amendment No. 1 to the Firm Transportation Service Agreement ("Contract") (page 11), in the line identifying the Total Maximum Daily Transportation Quantity ("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 for the Unauthorized Use rate. With regard to Exhibit A to the Firm Transportation Service Agreement for Boynton Beach

(page 17), the Company seeks confidential classification of the highlighted amounts listed in the right hand column in the lines pertaining to the Transporter Delivery Point at Boyton Beach Boulevard and the Turnpike, as well as the Point of Delivery at Boyton Beach Boulevard and Platina Avenue, along with the amount identified for the Total Monthly Reservation Charges for both Phase I and Phase II. In addition, the Company seeks confidential classification of the total MDTQ, the Total Monthly Reservation Charge, and the Unauthorized Use rate. This 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.

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.

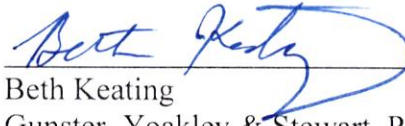
4. Included with this Request is a highlighted copy of the respective Exhibits A to the Transportation Service Agreement (Boynton Beach) and the Amendment No. 1 to the Firm Transportation Service Agreement (New Smyrna Beach. In addition, two redacted copies of the document are enclosed.

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 each, attached Exhibit A to the executed Transportation Service Agreement and the Amendment No. 1 to the 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 14th day of December, 2023.



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 14th day of December, 2023:

Walt Trierweiler, Esquire
c/o the Florida Legislature
111 West Madison Street, Rm 812
Tallahassee, FL 32399-1400
Trierweiler.walt@leg.state.fl.us

Keith Hetrick, Esquire
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
khetrick@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.*

PENINSULA PIPELINE COMPANY, INC.
FIRM TRANSPORTATION SERVICE

EXHIBIT A TO
FIRM TRANSPORTATION SERVICE AGREEMENT

BETWEEN

PENINSULA PIPELINE COMPANY, INC. AND
FLORIDA PUBLIC UTILITIES COMPANY

DATED

December 11, 2023

Phase I Construction

Description of Transporter Delivery Point(s)

1. At or near Boynton Beach Boulevard and Florida's Turnpike [REDACTED]

Description of Point(s) of Delivery

1. At or near Boynton Beach Boulevard and Platina Avenue [REDACTED]

Phase I Total Monthly Reservation Charge [REDACTED]

Phase II Construction

Description of Transporter Delivery Point(s)

1. At or near on Boynton Beach Boulevard and Platina Avenue

Description of Point(s) of Delivery

1. At or near Boynton Beach Boulevard and Old Boynton Road

Phase II Total Monthly Reservation Charge [REDACTED]

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

MHTP: 4.17%

Total Monthly Reservation Charge: [REDACTED]

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

AMENDMENT No. 1 TO
FIRM TRANSPORTATION SERVICE AGREEMENT

FIRST REVISED EXHIBIT A

TO

FIRM TRANSPORTATION SERVICE AGREEMENT

BETWEEN

PENINSULA PIPELINE COMPANY, INC.

AND

FLORIDA PUBLIC UTILITIES COMPANY

Description of Transporter Delivery Point(s)

1. Interconnection with existing PPC pipeline at Pioneer Trail Road in Volusia County

Description of Point(s) of Delivery¹

1. Existing Pressure Regulator Station at the intersection of Turnbull Bay Road and Creek Shore Trail in Volusia County, FL
2. Existing Pressure Regulator Station at the intersection of Industrial Park Avenue and Turnbull Street in Volusia County, FL
3. New Point of Delivery at or near Glencoe Rd and Paige Avenue
4. New Point of Delivery at or near Bianca Drive and State Road A1A
5. New Point of Delivery at or near Whaler Drive and State Road ALA
6. New Point of Delivery at or near Mango Park

MHTP:6%

Total MDTQ (Dekatherms): [REDACTED]

Monthly Reservation Charge: [REDACTED]

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

¹ The Parties to this Agreement acknowledge and recognize that the facilities to be installed represent an extension of existing facilities currently used by the Company to provide service to Shipper in Volusia County. The pricing hereunder is inclusive of the original Exhibit A charges and does not otherwise duplicate charges for service from the existing interconnection "Delivery Point" (renamed "Point of Delivery" herein) with the existing New Smyrna Pipeline owned and operated by Peninsula Pipeline Company, Inc. approved as part of the original Agreement in Docket No. Docket No. 20170193-GU.

PENINSULA PIPELINE COMPANY, INC.
FIRM TRANSPORTATION SERVICE

EXHIBIT A TO
FIRM TRANSPORTATION SERVICE AGREEMENT

BETWEEN

PENINSULA PIPELINE COMPANY, INC. AND
FLORIDA PUBLIC UTILITIES COMPANY

DATED

December 11, 2023

Phase I Construction

Description of Transporter Delivery Point(s)

1. At or near Boynton Beach Boulevard and Florida's Turnpike

██████████

Description of Point(s) of Delivery

1. At or near Boynton Beach Boulevard and Platina Avenue

██████████

Phase I Total Monthly Reservation Charge

██████████

Phase II Construction

Description of Transporter Delivery Point(s)

1. At or near on Boynton Beach Boulevard and Platina Avenue

Description of Point(s) of Delivery

1. At or near Boynton Beach Boulevard and Old Boynton Road

Phase II Total Monthly Reservation Charge

██████████

Total MDTQ (Dekatherms): ██████████/Day

██████████

MHTP: 4.17%

Total Monthly Reservation Charge: ██████████

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

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

AMENDMENT No. 1 TO
FIRM TRANSPORTATION SERVICE AGREEMENT

FIRST REVISED EXHIBIT A

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5. New Point of Delivery at or near Whaler Drive and State Road ALA
6. New Point of Delivery at or near Mango Park

MHTP:6%

Total MDTQ (Dekatherms): [REDACTED]

Monthly Reservation Charge: [REDACTED]

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

¹ The Parties to this Agreement acknowledge and recognize that the facilities to be installed represent an extension of existing facilities currently used by the Company to provide service to Shipper in Volusia County. The pricing hereunder is inclusive of the original Exhibit A charges and does not otherwise duplicate charges for service from the existing interconnection "Delivery Point" (renamed "Point of Delivery" herein) with the existing New Smyrna Pipeline owned and operated by Peninsula Pipeline Company, Inc. approved as part of the original Agreement in Docket No. 20170193-GU.