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FEB 19 PM 2:53
COMMISSION CLERK

February 18, 2009

VIA FEDEX

Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 080318-GU -- Petition for rate increase by Peoples Gas System

Dear Ms. Cole:

Enclosed for filing in the above docket on behalf of Peoples Gas System ("Peoples") are the original and 20 copies of Peoples' Request for Confidential Classification and Motion for Temporary Protective Order with respect to portions of documents produced pursuant to Citizens' Request for Production of Documents No. 59.

Also enclosed, in an envelope marked "CONFIDENTIAL," is a single copy of each of the documents which are the subject of this request and motion, printed on yellow paper, as all information contained therein is confidential.

- COM _____
- ECR
- GCL 2
- OPC _____
- RCP _____
- SSC _____
- SGA _____
- ADM _____
- CLK 1

Please acknowledge your receipt and the date of filing of the enclosures on the duplicate copy of this letter and return the same to me in the enclosed preaddressed envelope.

Thank you for your usual assistance.

Sincerely,

ANSLEY WATSON, JR.

DOCUMENT NUMBER-DATE

01412 FEB 19 8

FPSC-COMMISSION CLERK

Ann Cole, Commission Clerk
February 18, 2009
Page 2

AWjr/a
Enclosures

cc: Parties of Record
Mrs. Kandi M. Floyd

REDACTED

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase)
by Peoples Gas System.)
_____)

Docket No. 080318-GU

Submitted for Filing:
2-19-09

**PEOPLES GAS SYSTEM'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

Peoples Gas System ("Peoples" or the "Company"), pursuant to Section 366.093, *Florida Statutes*, and Rule 25-22.006, *Florida Administrative Code*, hereby requests confidential classification of (and the issuance of a temporary protective order with respect to) the document(s) printed on yellow paper and the yellow highlighted information contained in the following described document(s) (the "Document(s)") stamped "CONFIDENTIAL", which are submitted herewith, all of said confidential information being hereinafter referred to as "Confidential Information."

Description of the Document(s)

The Documents consist of documents produced by Peoples in response to the Office of Public Counsel's Request for Production of Documents No. 59 (relating to payroll, bonus and compensation studies). In support of its request, Peoples states:

1. Subsection 366.093(1), *Florida Statutes*, provides that any records "found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), *Florida Statutes* [requiring disclosure under the Public Records Act]." Proprietary confidential business information includes, but is not limited to "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information."

DOCUMENT NUMBER-DATE

01412 FEB 19 8

FPSC-COMMISSION CLERK

Subsection 366.093(3)(e), *Florida Statutes*. The Confidential Information that is the subject of this request and motion satisfies this statutory category, and thus constitutes proprietary confidential business information entitled to protection under Section 366.093, *Florida Statutes*, and Rule 25-22.006, *Florida Administrative Code*.

2. Attached hereto as Exhibit "A" is justification for confidential treatment of the Confidential Information contained in the Documents.

3. The Confidential Information contained in the Documents is intended to be and is treated by Peoples as private and has not been publicly disclosed.

4. For the same reasons set forth herein in support of its request for confidential classification, Peoples also moves the Commission for entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), *Florida Administrative Code*, protecting the Confidential Information from public disclosure.

Requested Duration of Confidential Classification

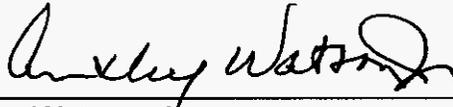
5. Peoples requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period prescribed in Rule 25-22.006(9)(a), *Florida Administrative Code*. If, and to the extent that the Company is in need of confidential classification of the Confidential Information beyond the 18 month period set forth in the Commission rule, the justification and grounds for such extended period of confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Peoples Gas System respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein and for a minimum period of 18 months,

subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request and motion. The Company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), *Florida Administrative Code*, protecting the Confidential Information from public disclosure.

DATED this 18th day of February, 2009.

Respectfully submitted,



Ansley Watson, Jr.
Macfarlane Ferguson & McMullen
P. O. Box 1531
Tampa, Florida 33601-1531
(813) 273-4321

Attorneys for Peoples Gas System

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Peoples Gas System, has been furnished by U. S. Mail this 18th day of February, 2009, to the following:

Caroline M. Klancke, Esquire
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Katherine E. Fleming, Esquire
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Charles J. Rehwinkel, Esquire
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400

John W. McWhirter, Jr., Esquire
McWhirter Law Firm
P. O. Box 3350
Tampa, Florida 33601-3350

Ms. Annette Follmer
U. S. Gypsum Company
P. O. Box 806278
125 S. Franklin Street
Chicago, Illinois 60680-4124



Ansley Watson, Jr.

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF HIGHLIGHTED PORTIONS
OF THE DOCUMENTS**

<u>Bates Page No.</u>	<u>Detailed Description</u>	<u>Rationale</u>
22940 through 22966	All highlighted information	(1)
26163 through 26164	All highlighted information	(1)
28767 through 28774	All highlighted information	(1)
37189 through 37199	All highlighted information	(1)

- (1) The Confidential Information contained in the Document(s) is intended to be and is treated by Peoples as private and has not been publicly disclosed. The information in question consists of third party consultant work product, to-wit, lists of participating organizations used by third party providers in preparing comparative job position compensation studies. This information is purchased from such third party providers by Peoples' parent company, TECO Energy, Inc., ("TECO Energy"), pursuant to agreements requiring that it preserve the confidentiality of, and not disclose, such information to others. Public disclosure of this information could result in a breach of contract claim by the third party providers against TECO Energy and/or Peoples, thus jeopardizing TECO Energy's future relationships with such providers. Public disclosure of the information could also potentially have a negative financial impact on each of the third party providers, each of which expends efforts and expense in compiling and disseminating the information to paying subscribers. Public disclosure of such information could adversely affect the providers' ability to derive compensation from existing or new subscribers, thus harming the competitive business interests of the third party providers. As such, the information in question is entitled to confidential treatment pursuant to Section 366.093 (3)(e), *Florida Statutes*.

EXHIBIT B

PUBLIC VERSION(S) OF THE DOCUMENT

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document with the Confidential Information redacted.

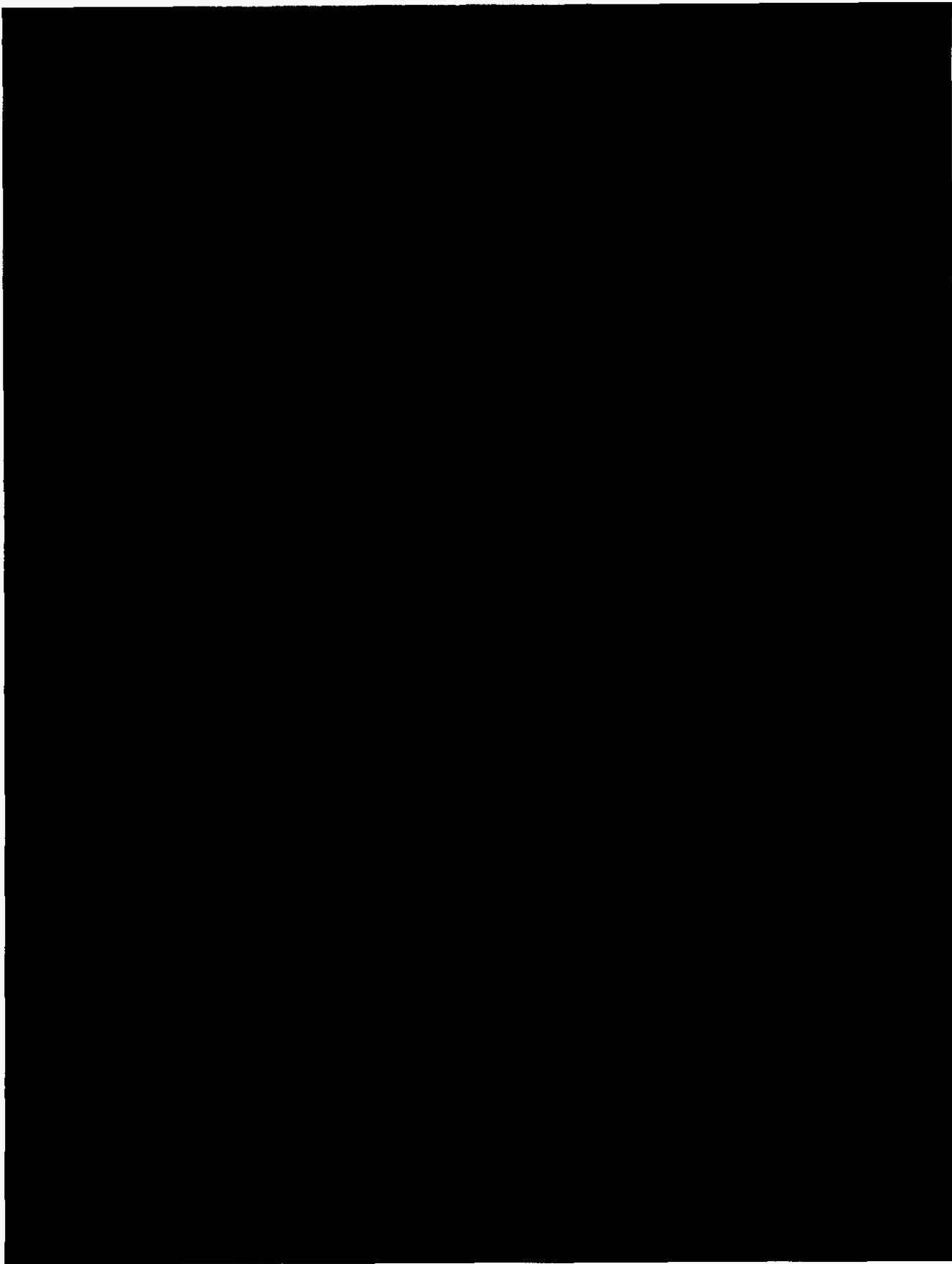
Public Version(s) of the Document attached

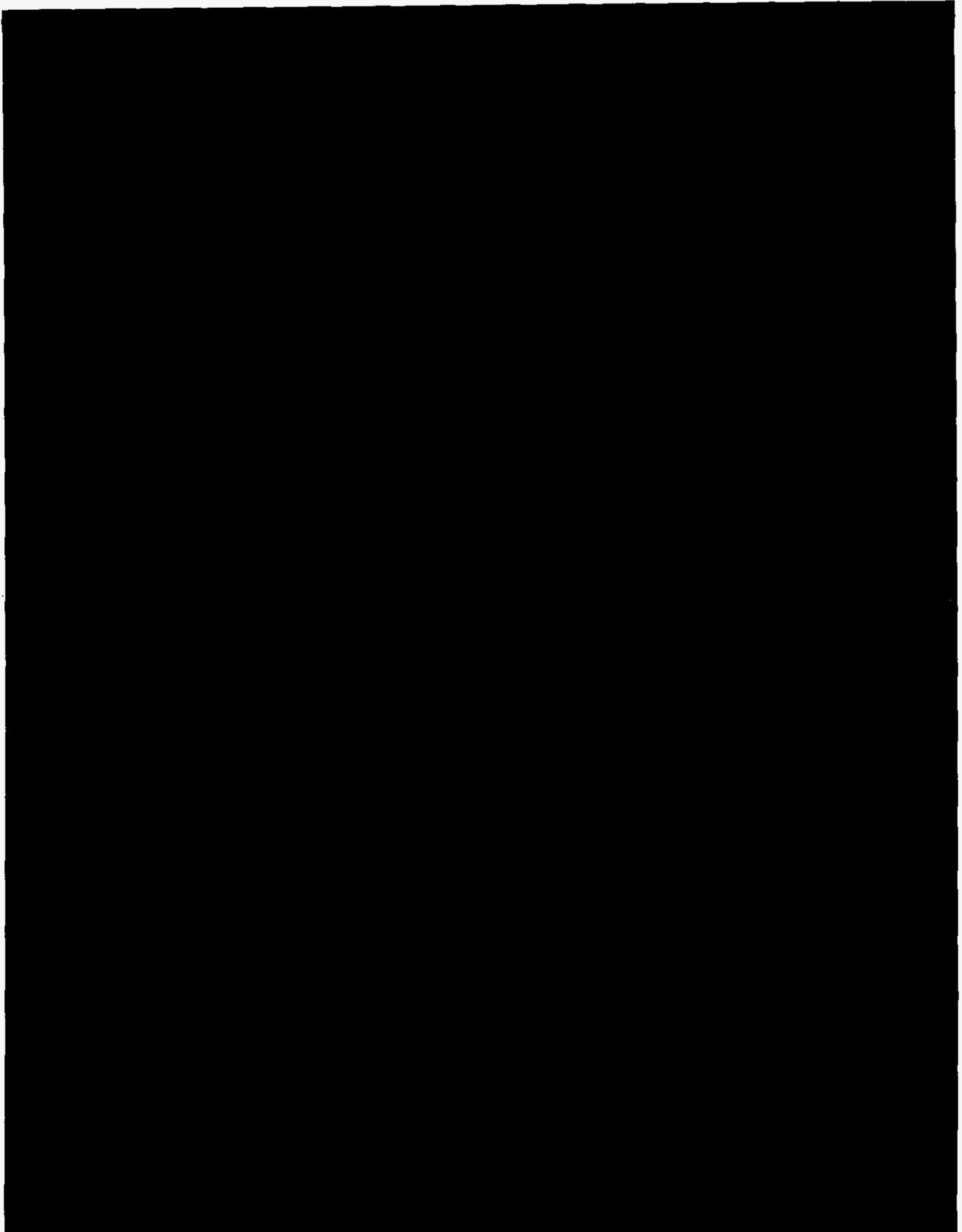
Public Version(s) of the Document previously served on _____

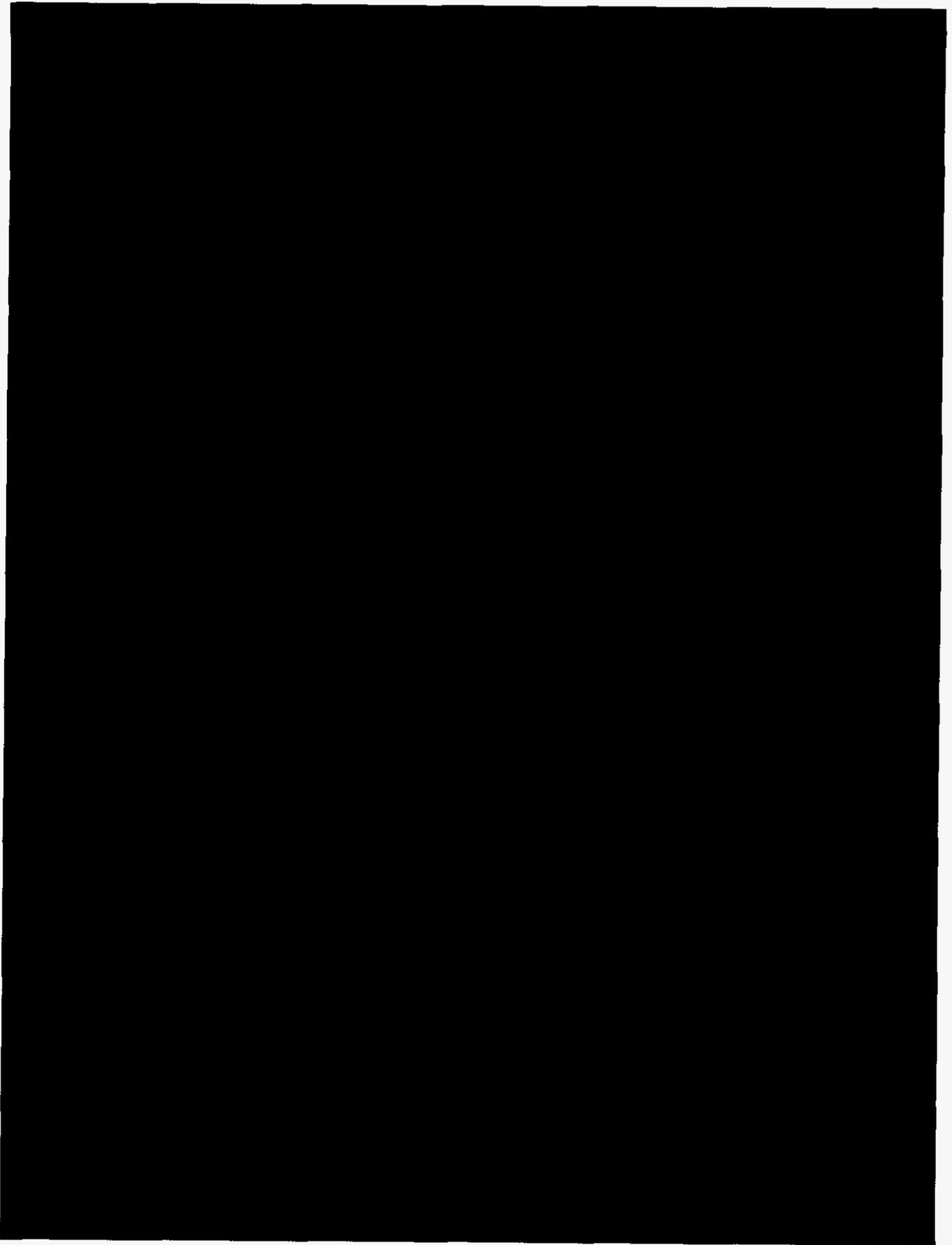
REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION

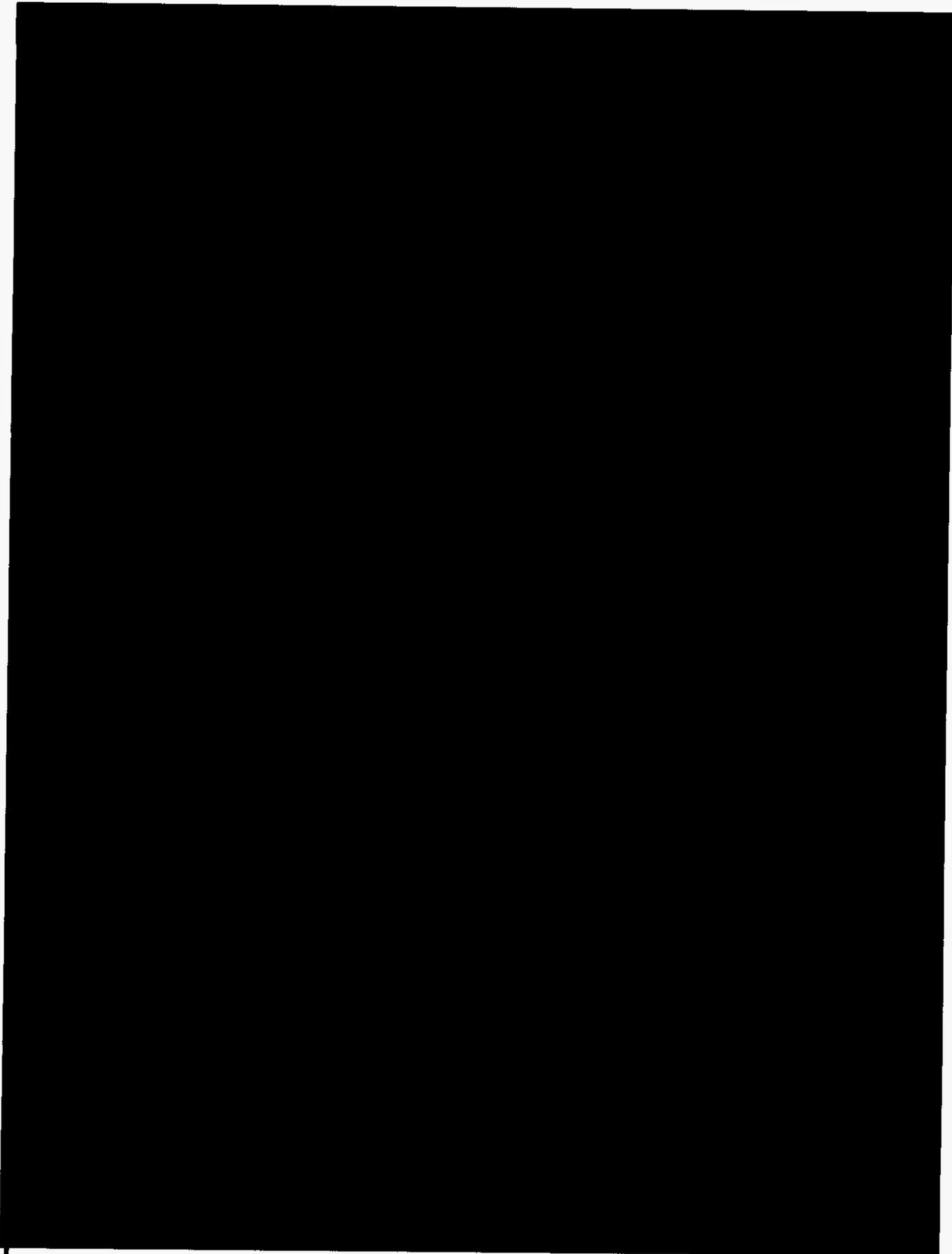
Peoples requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefore is set forth below:

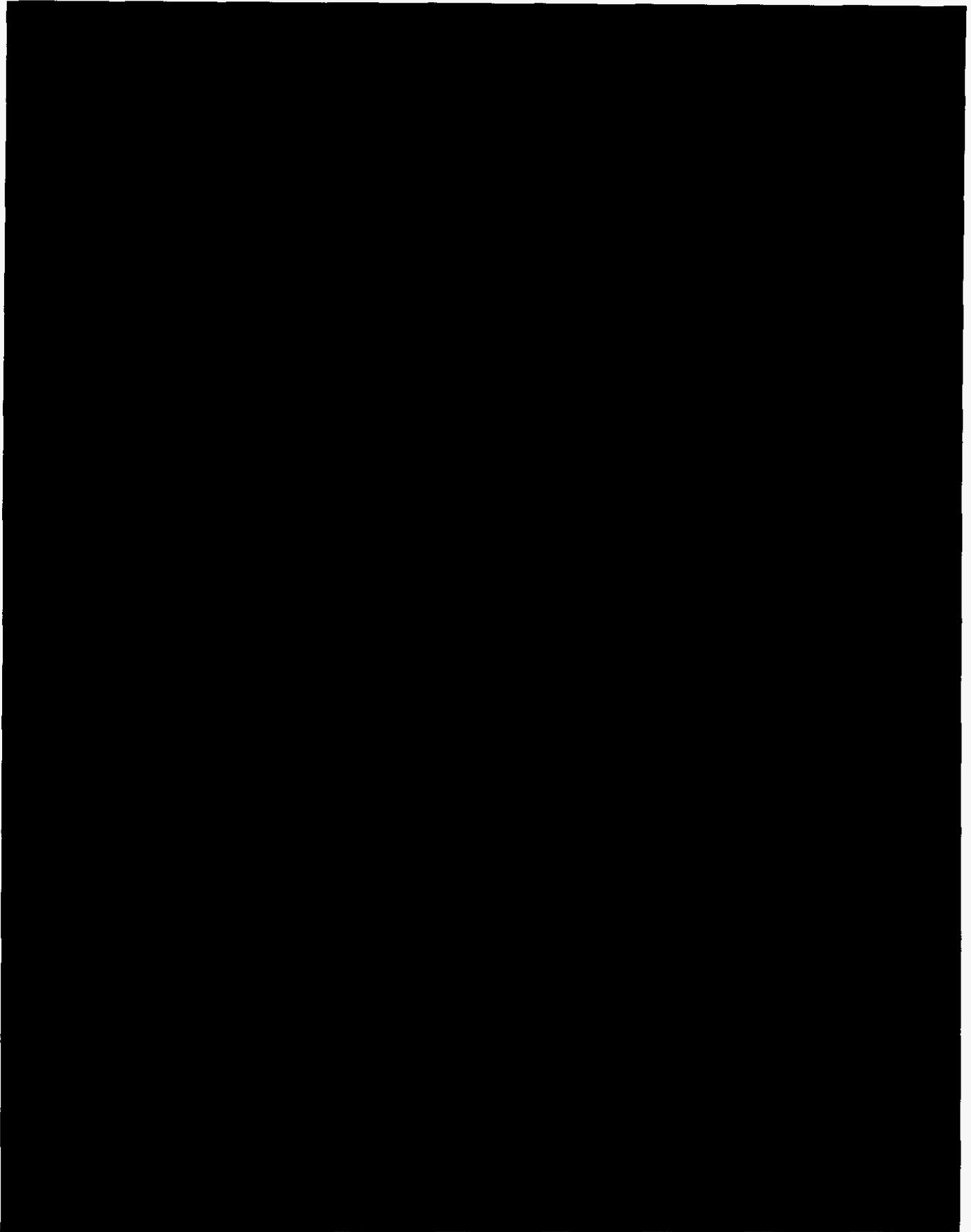
n/a

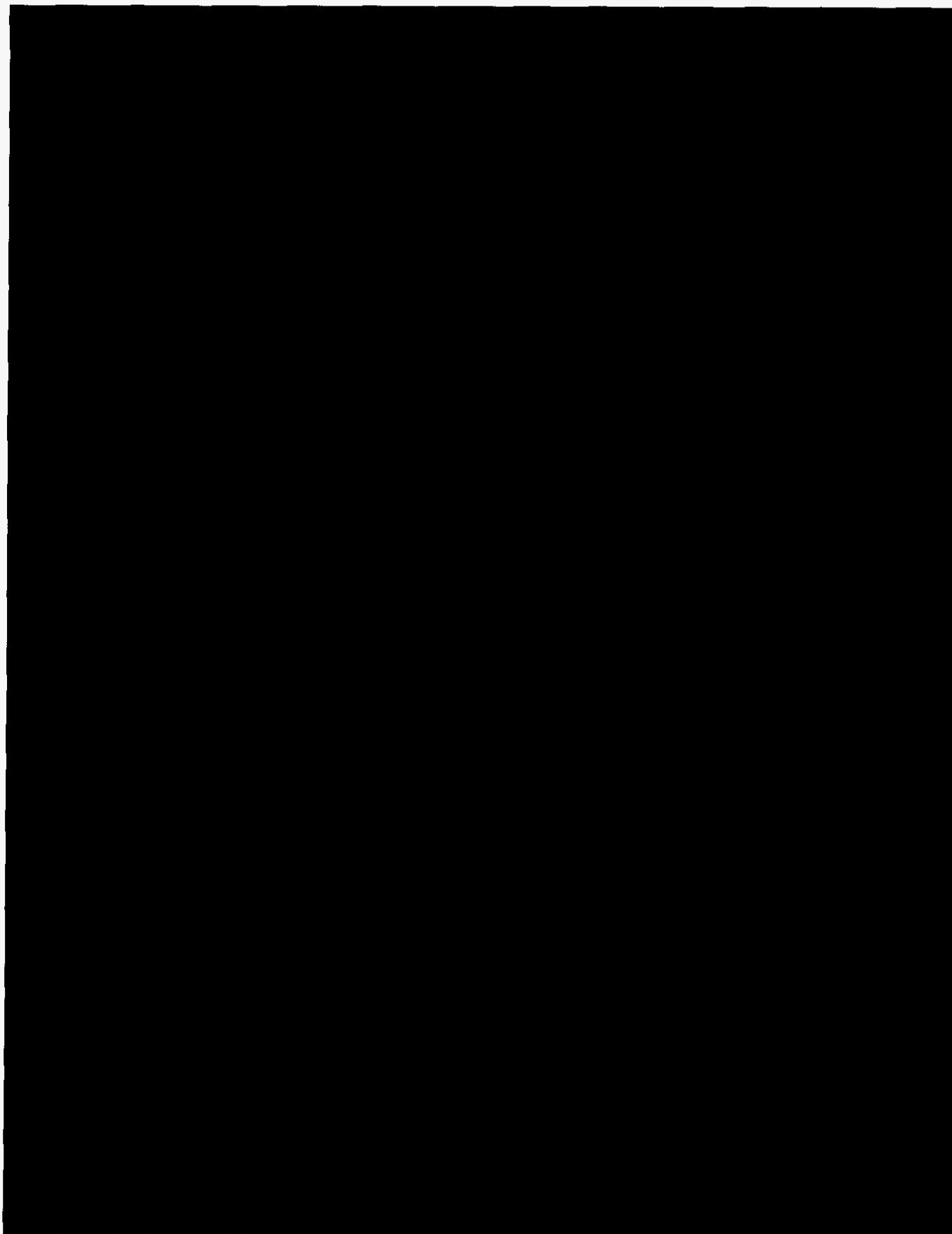


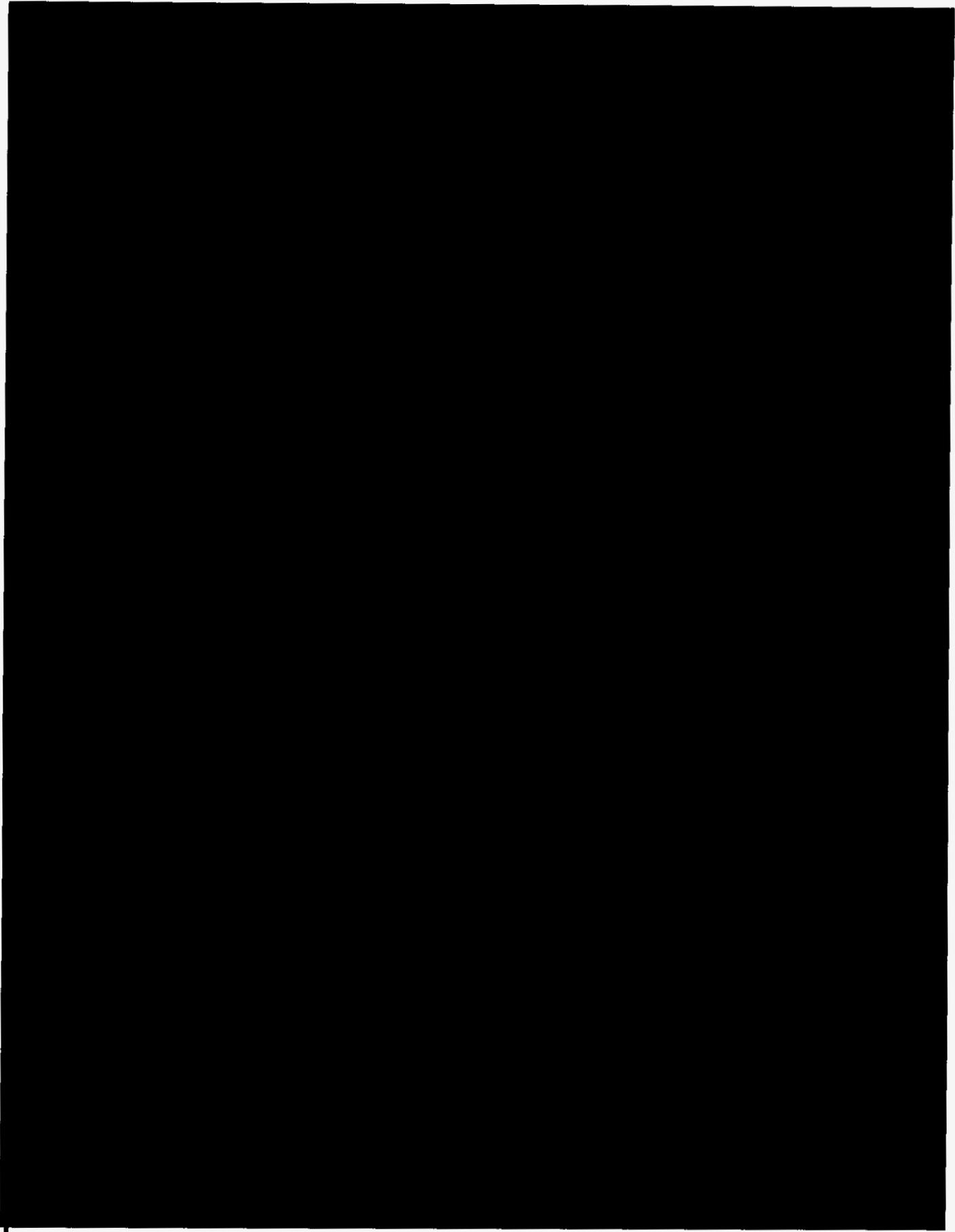


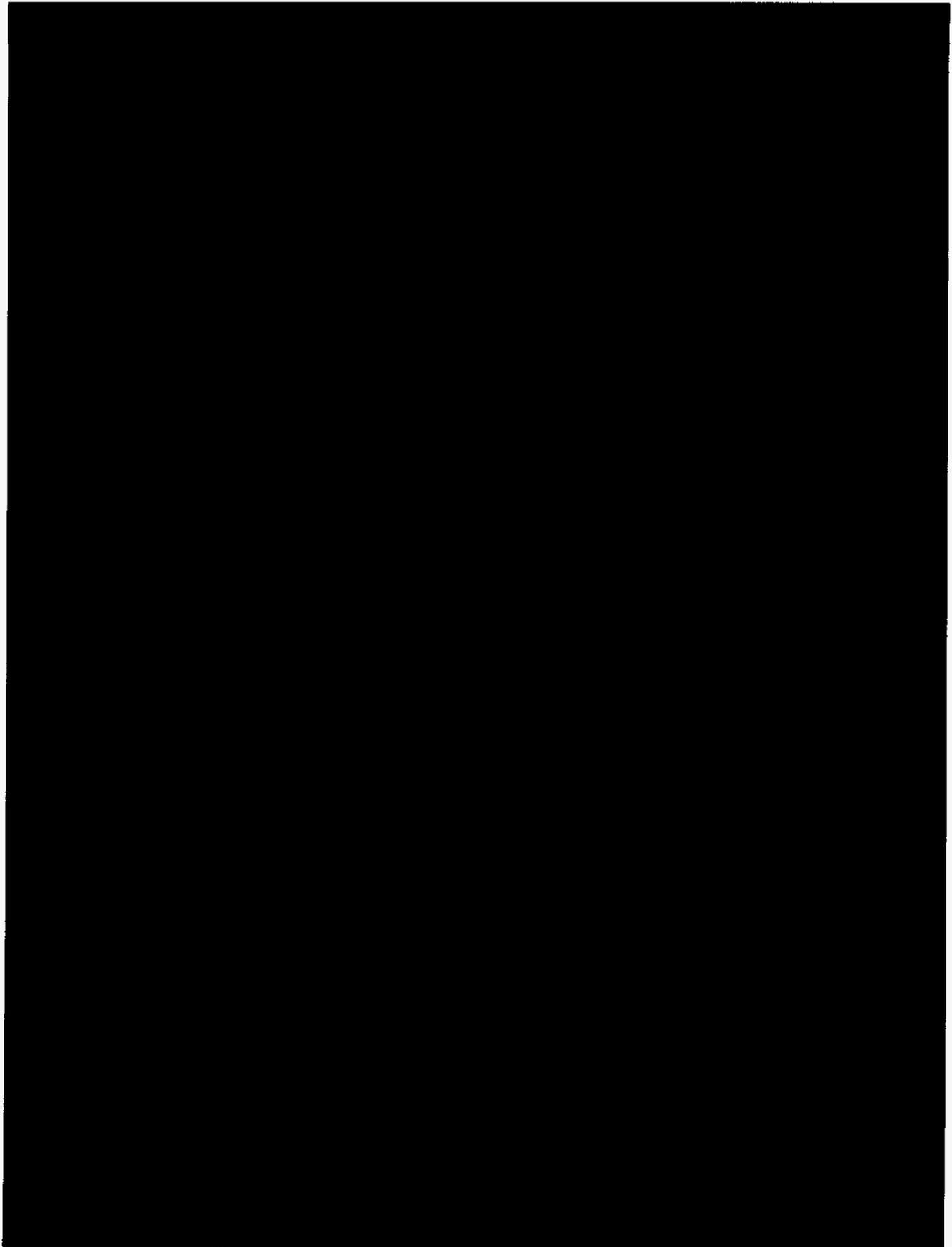


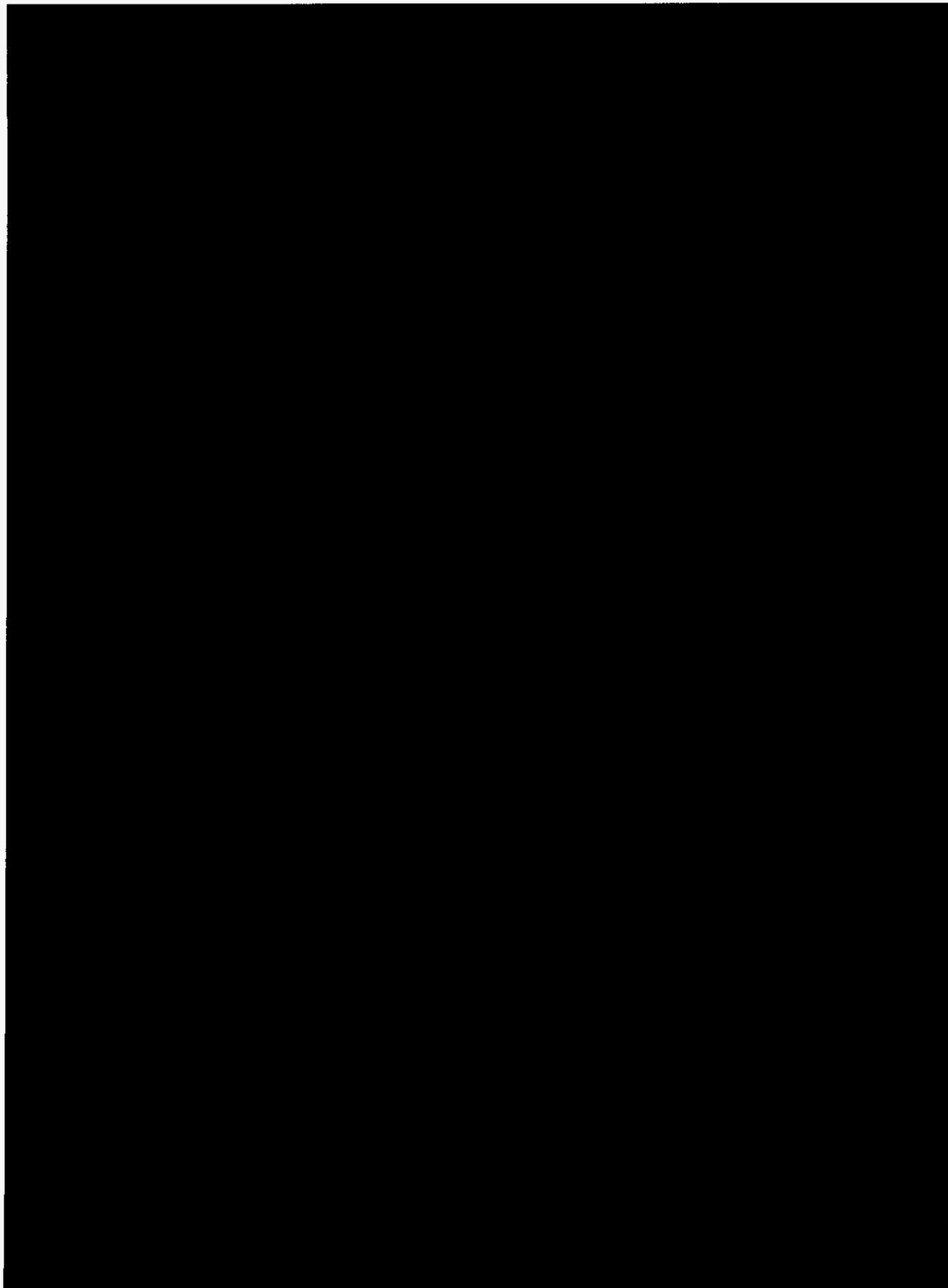


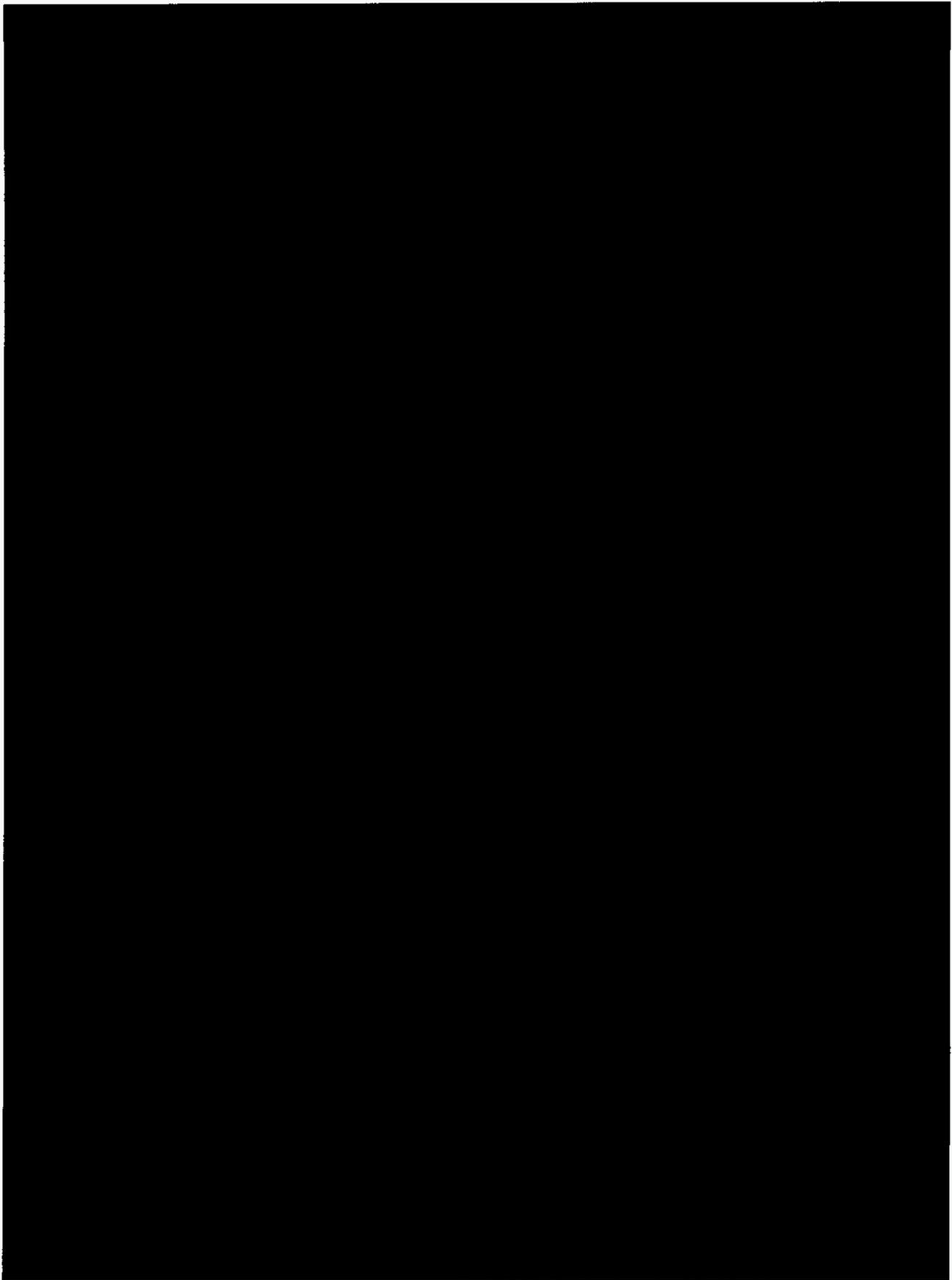


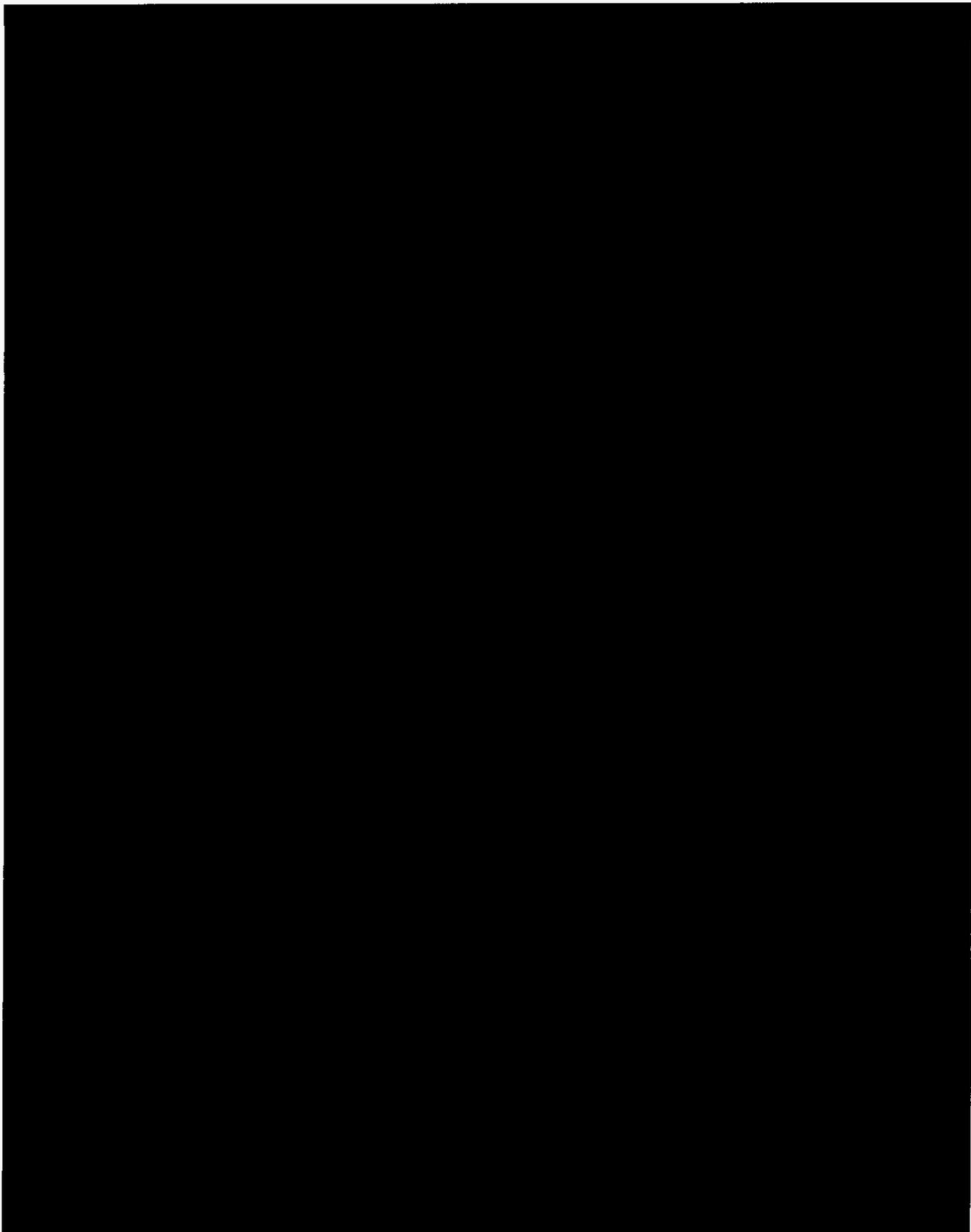


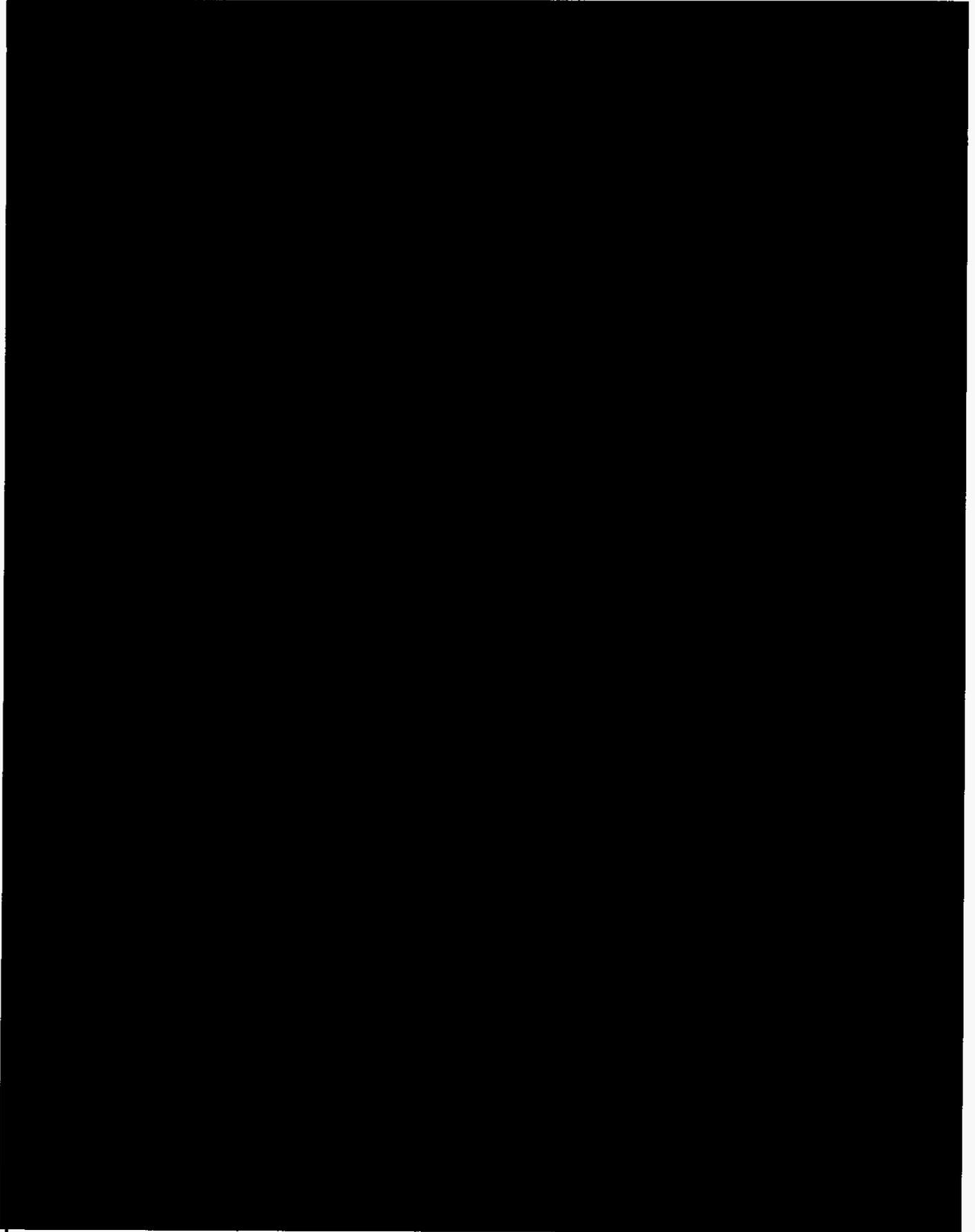


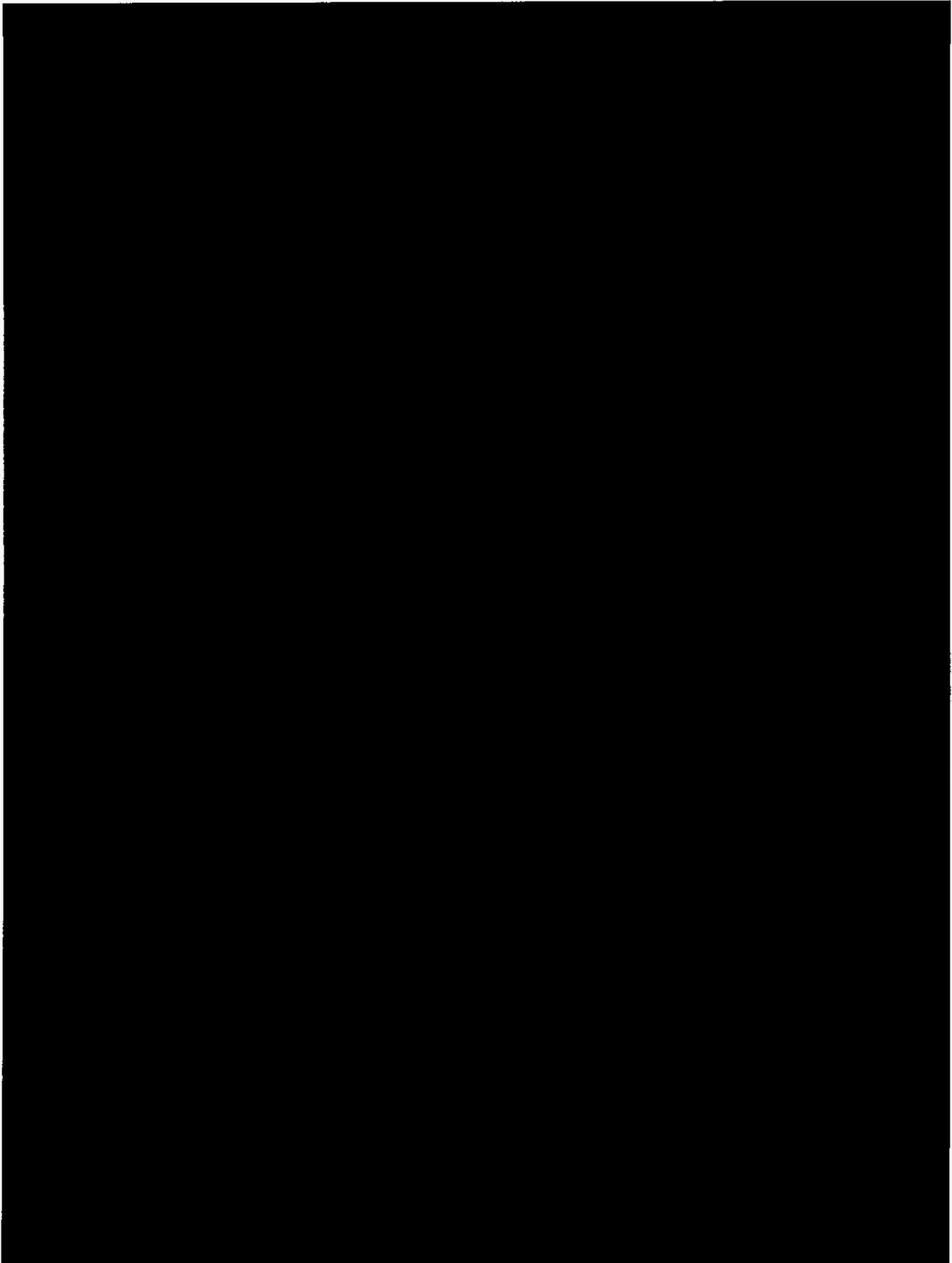


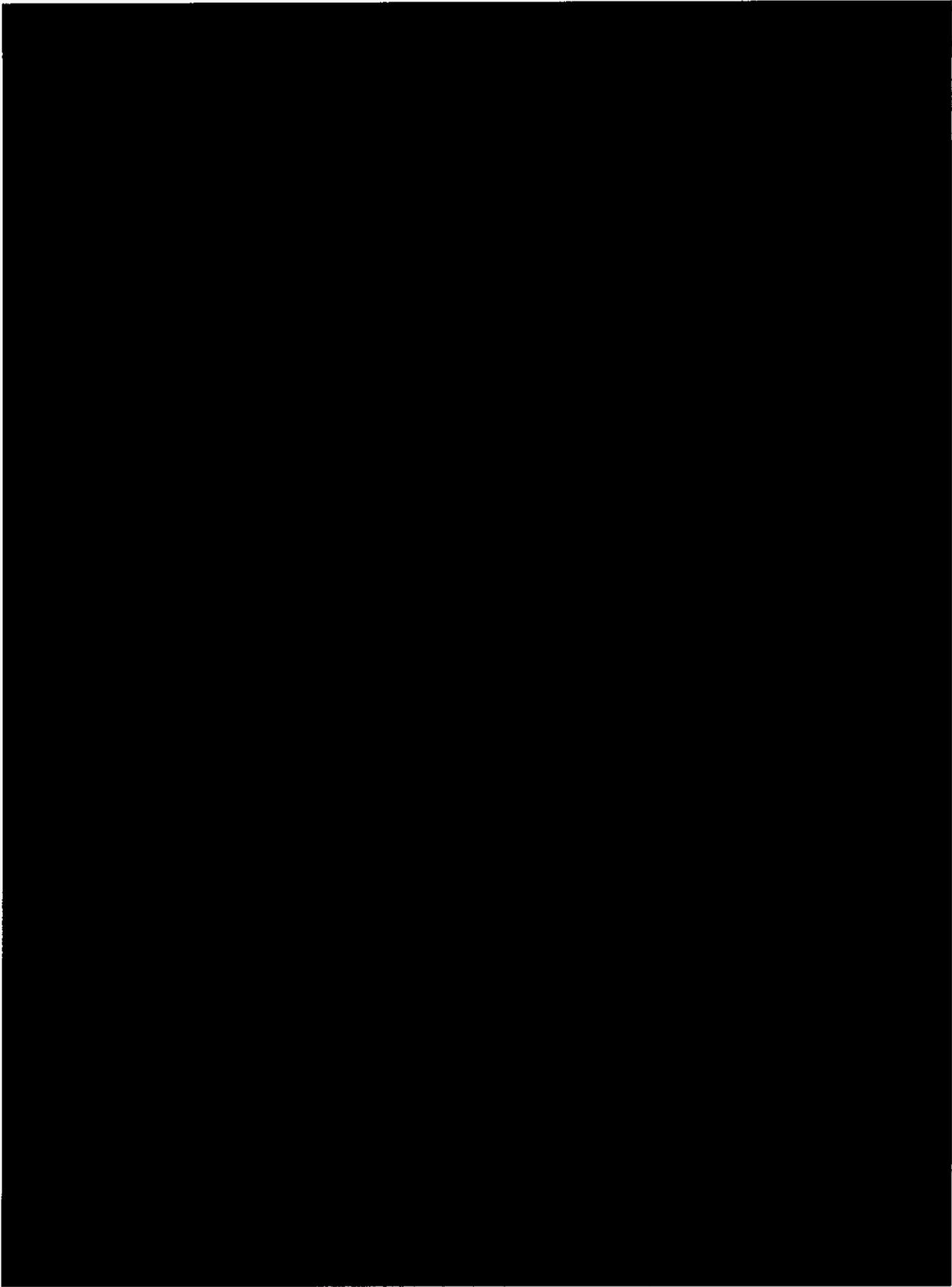


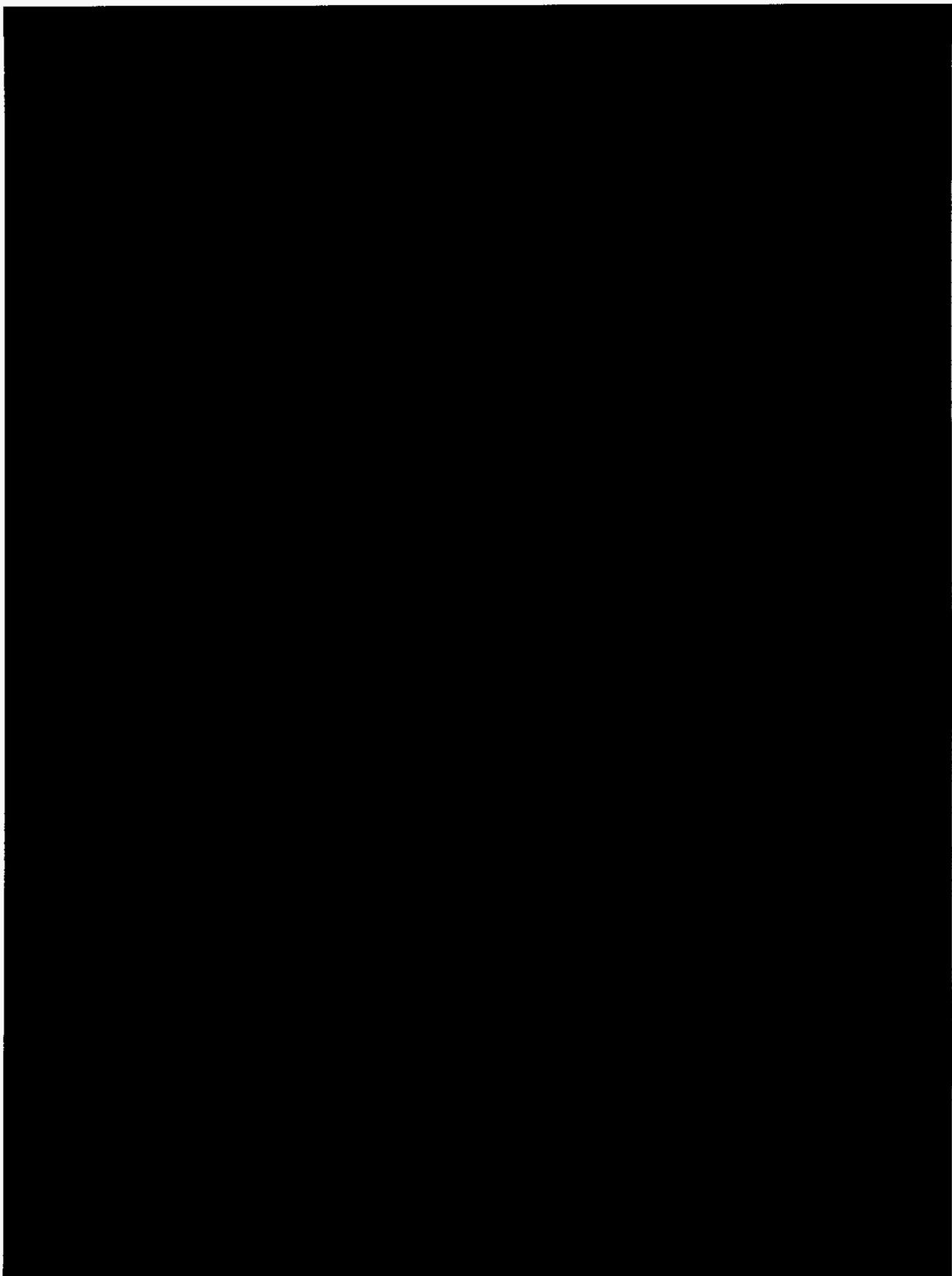


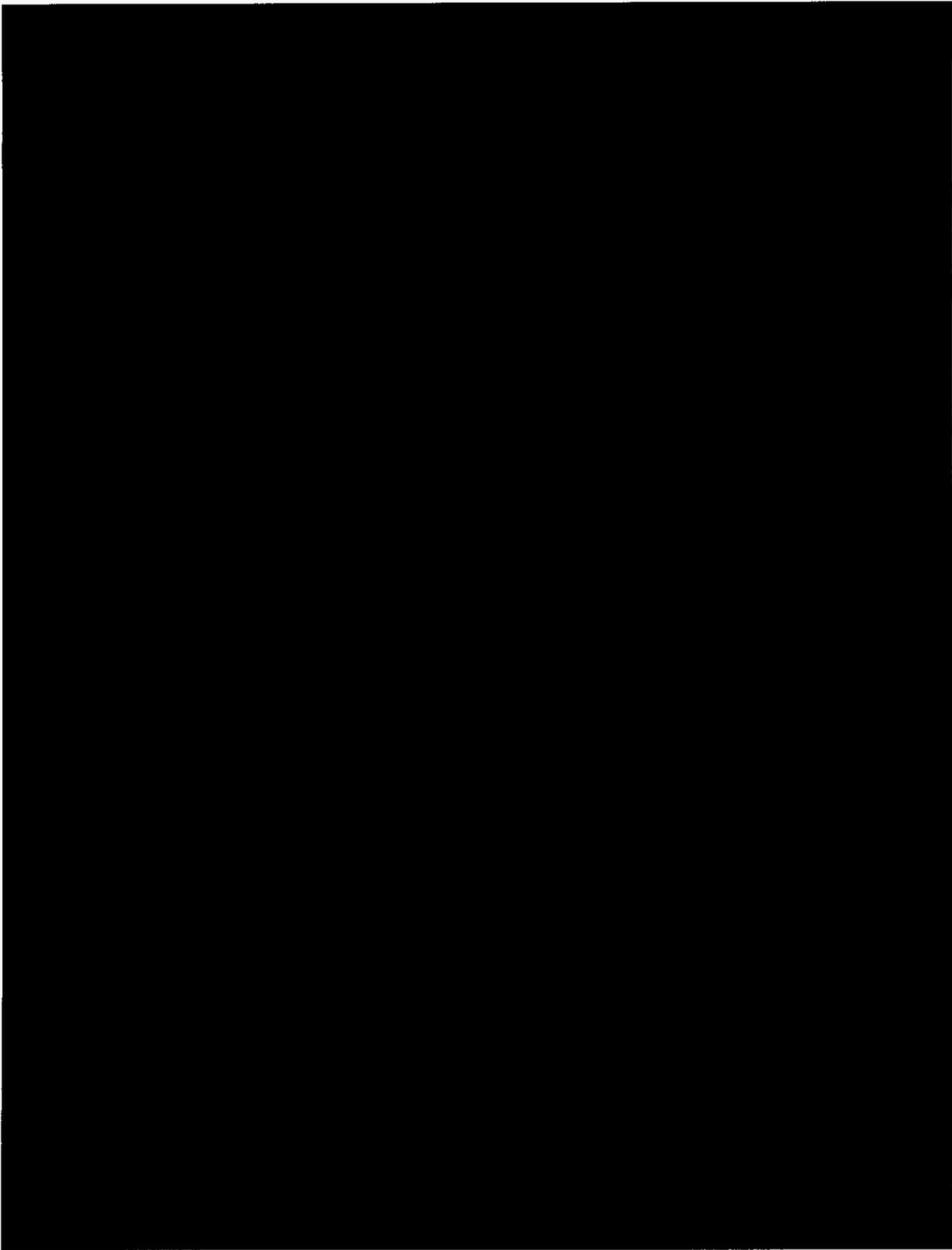


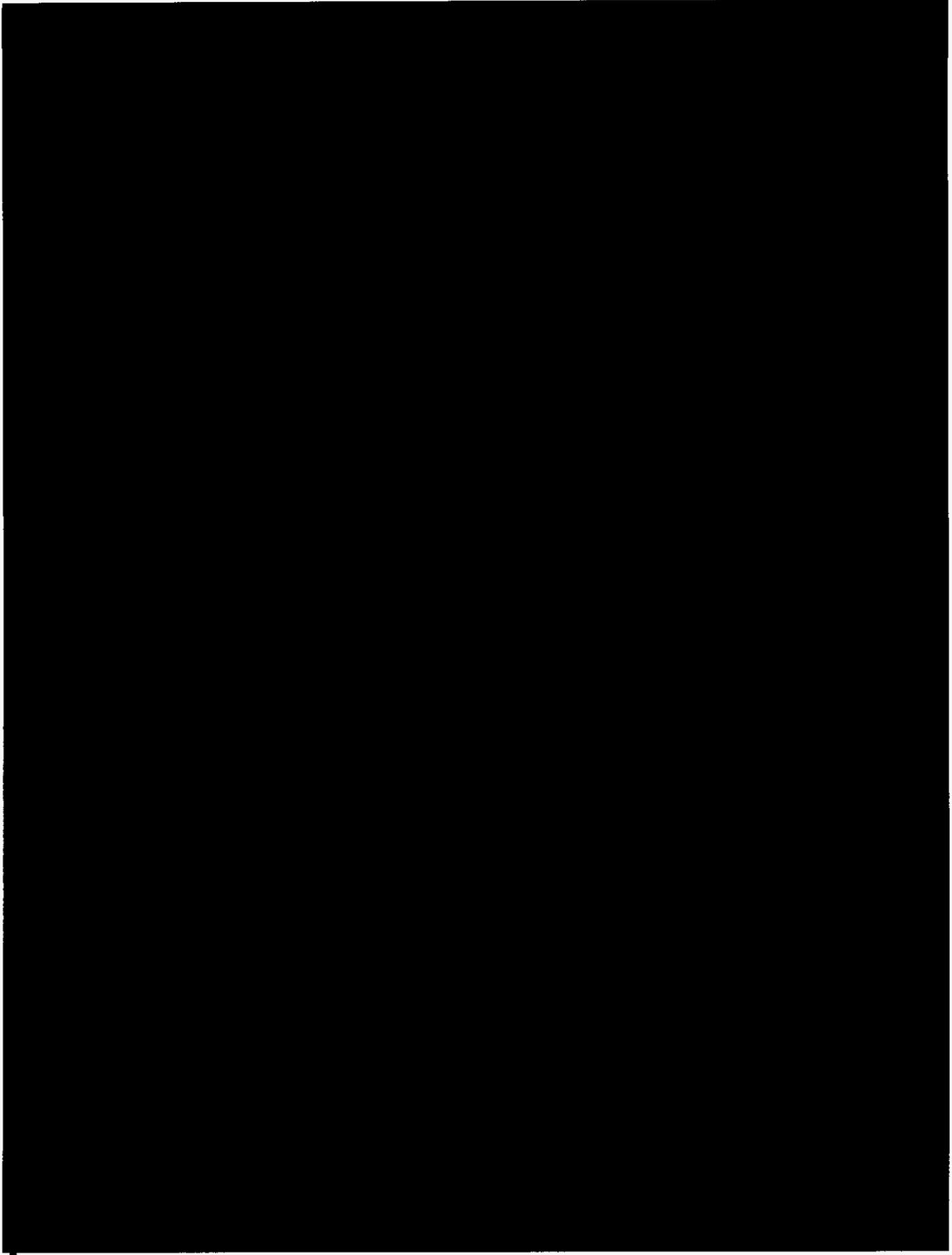


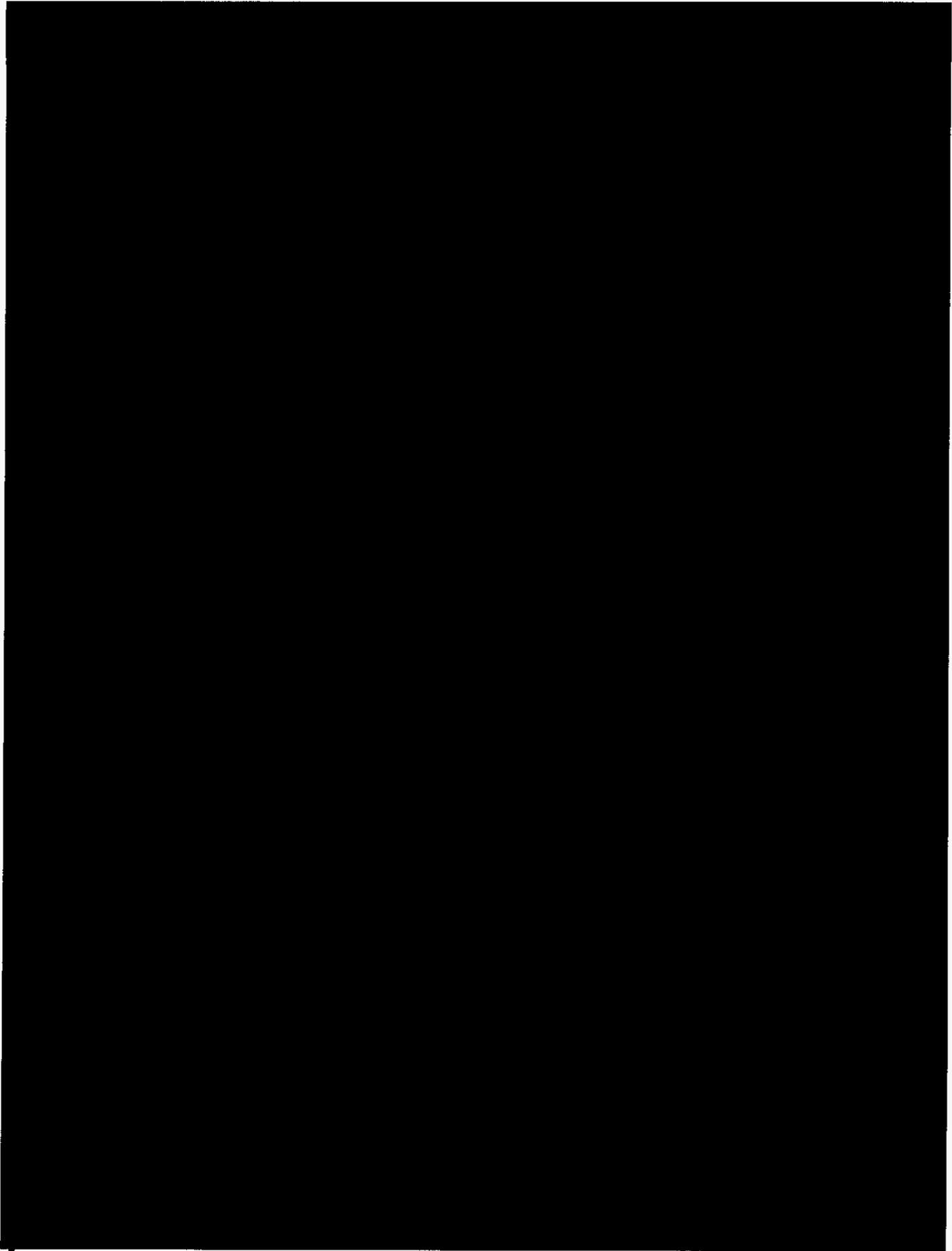


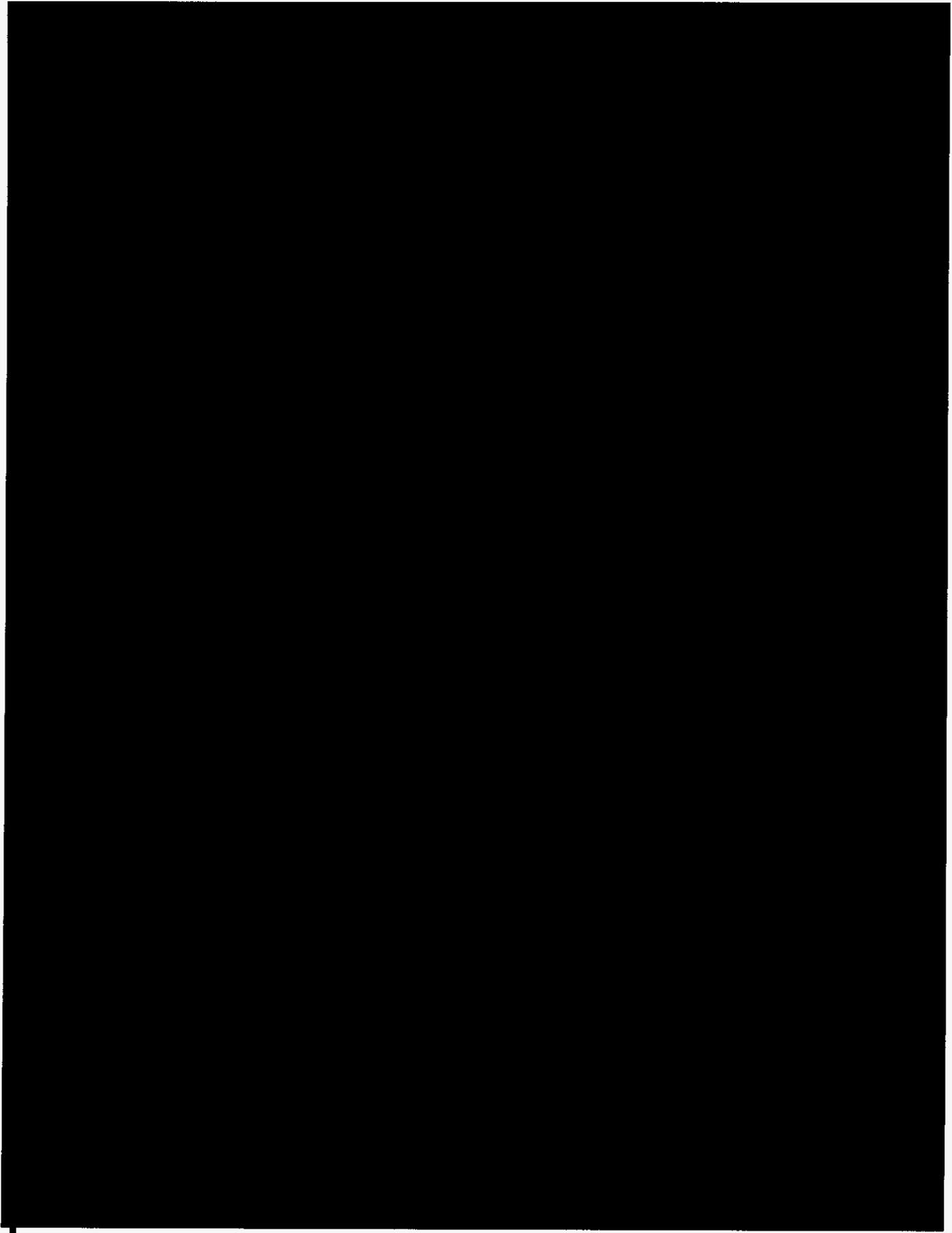


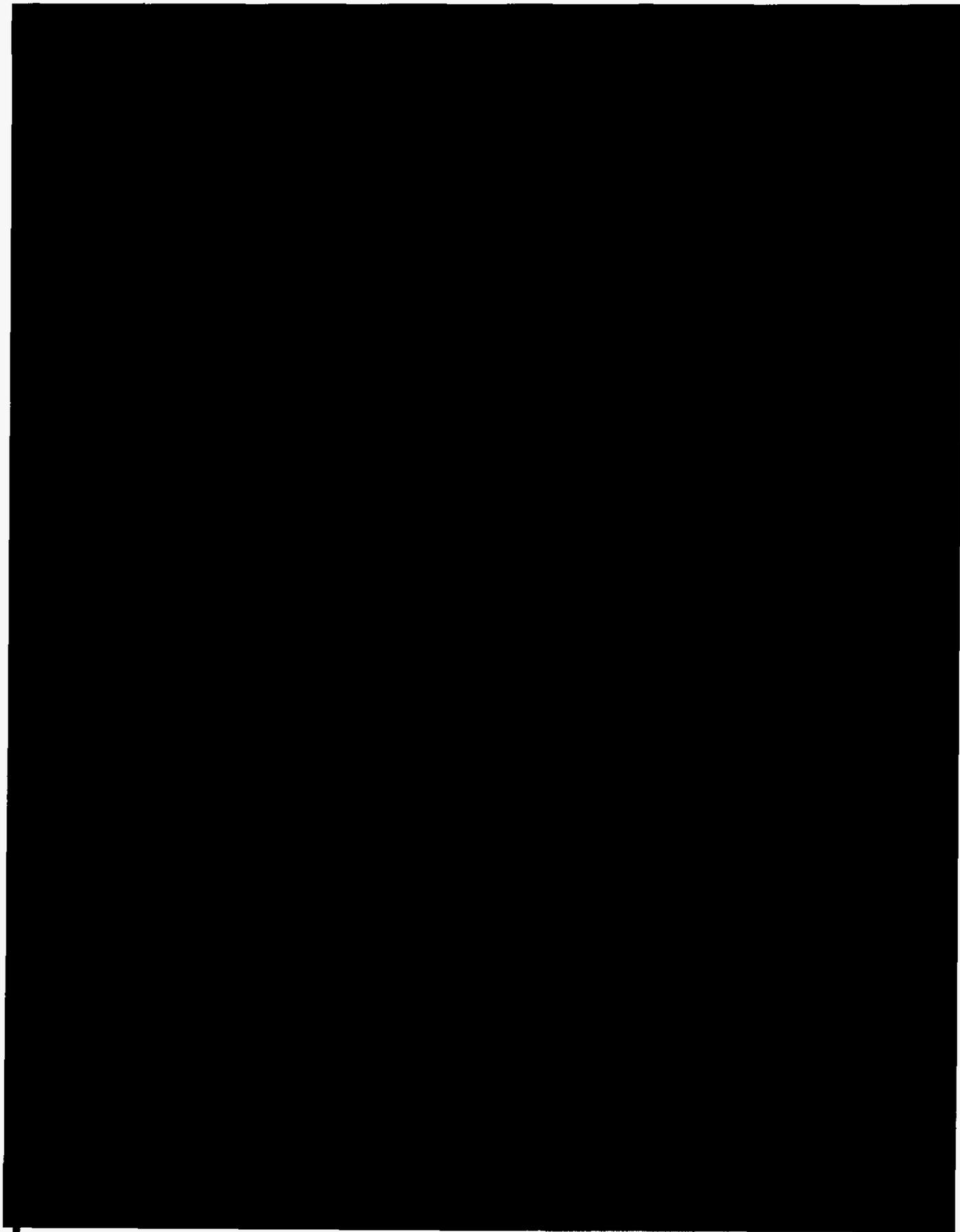


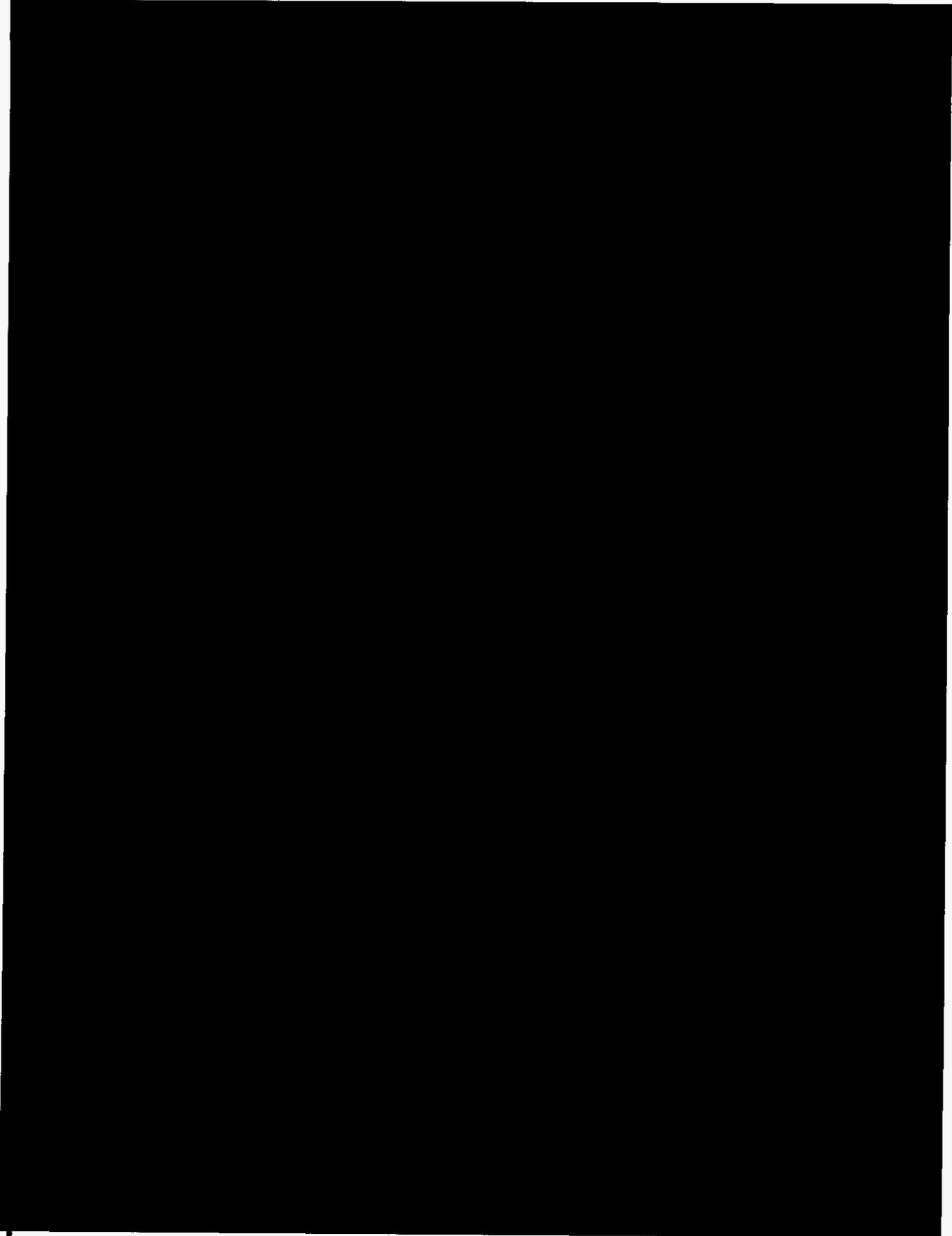


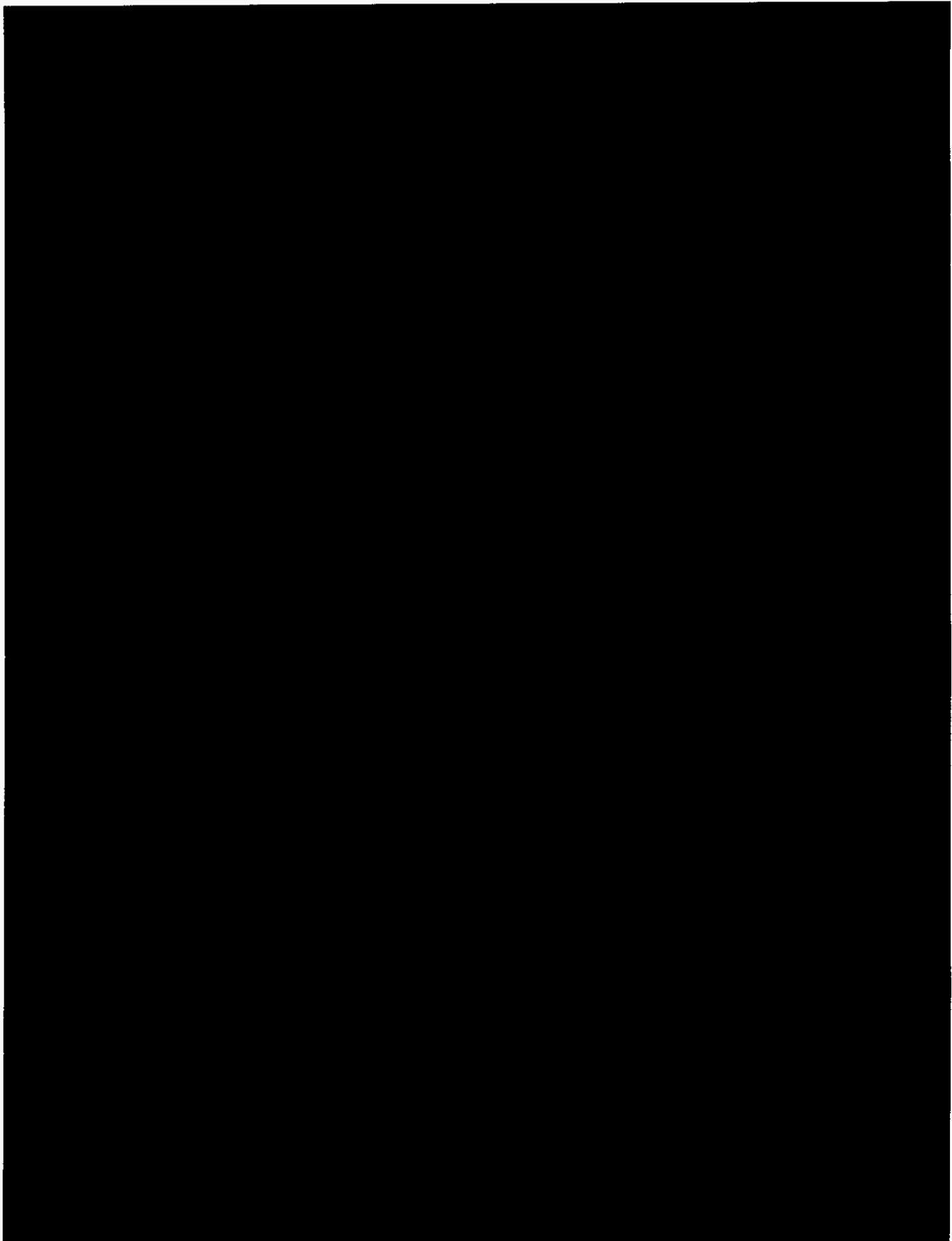


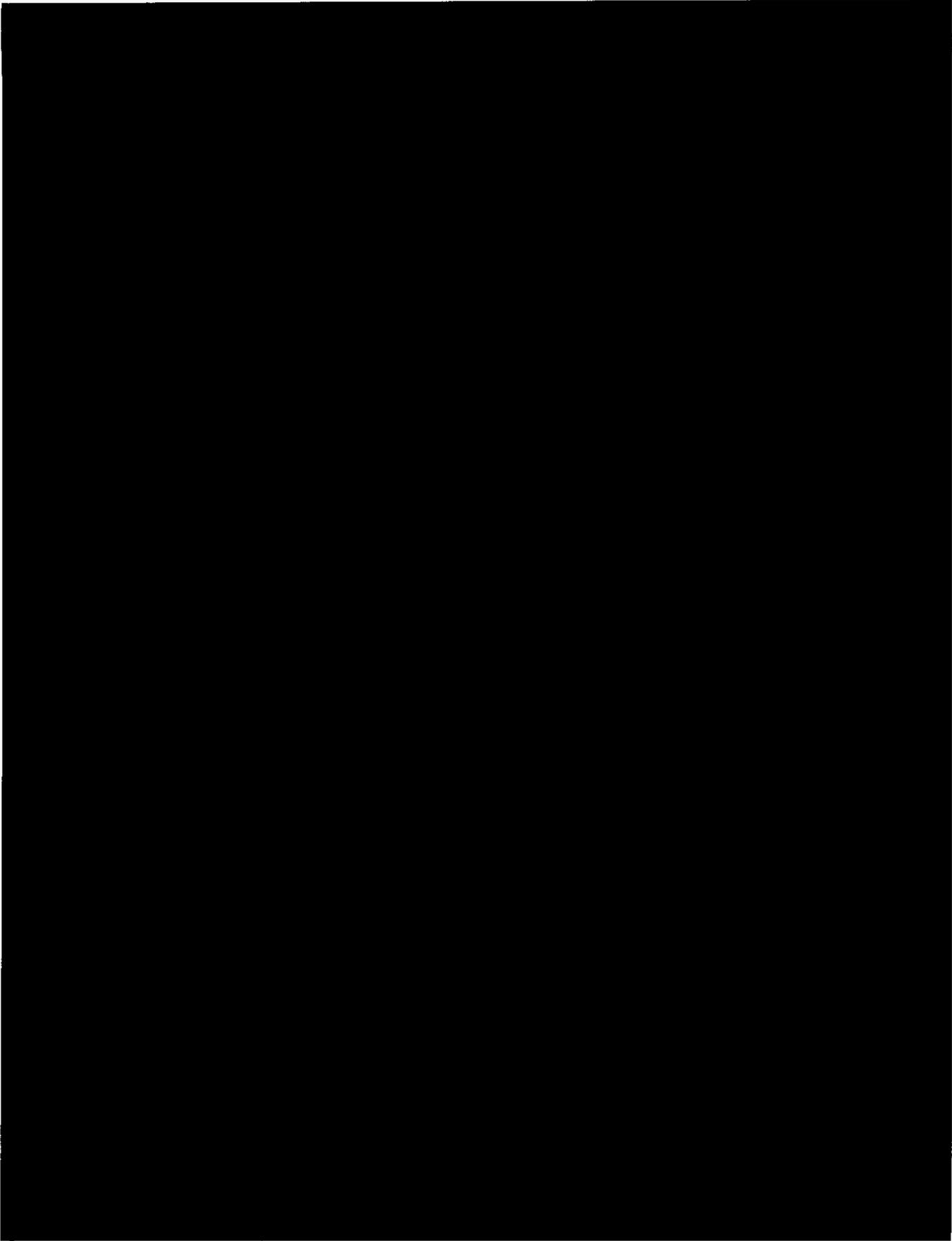


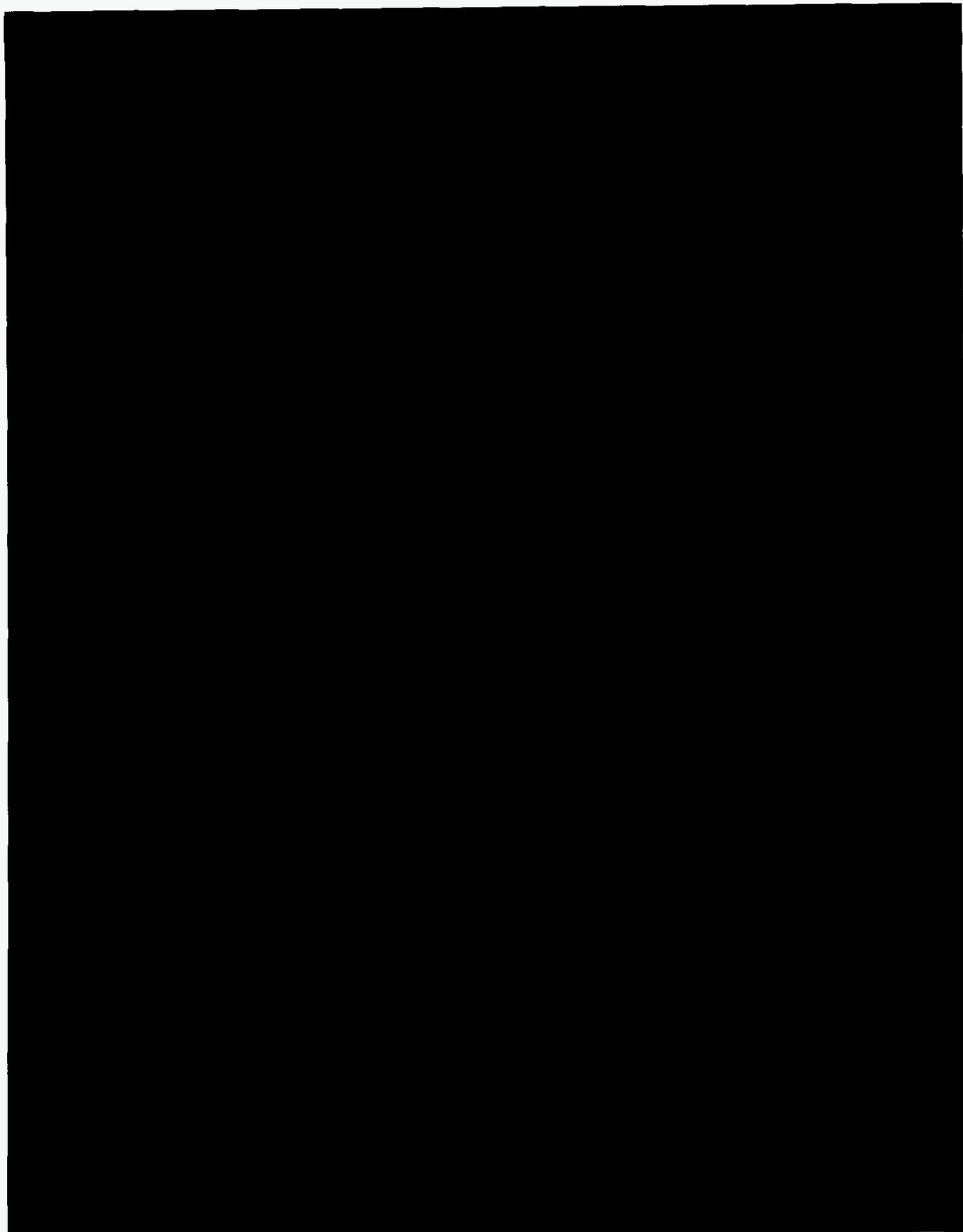


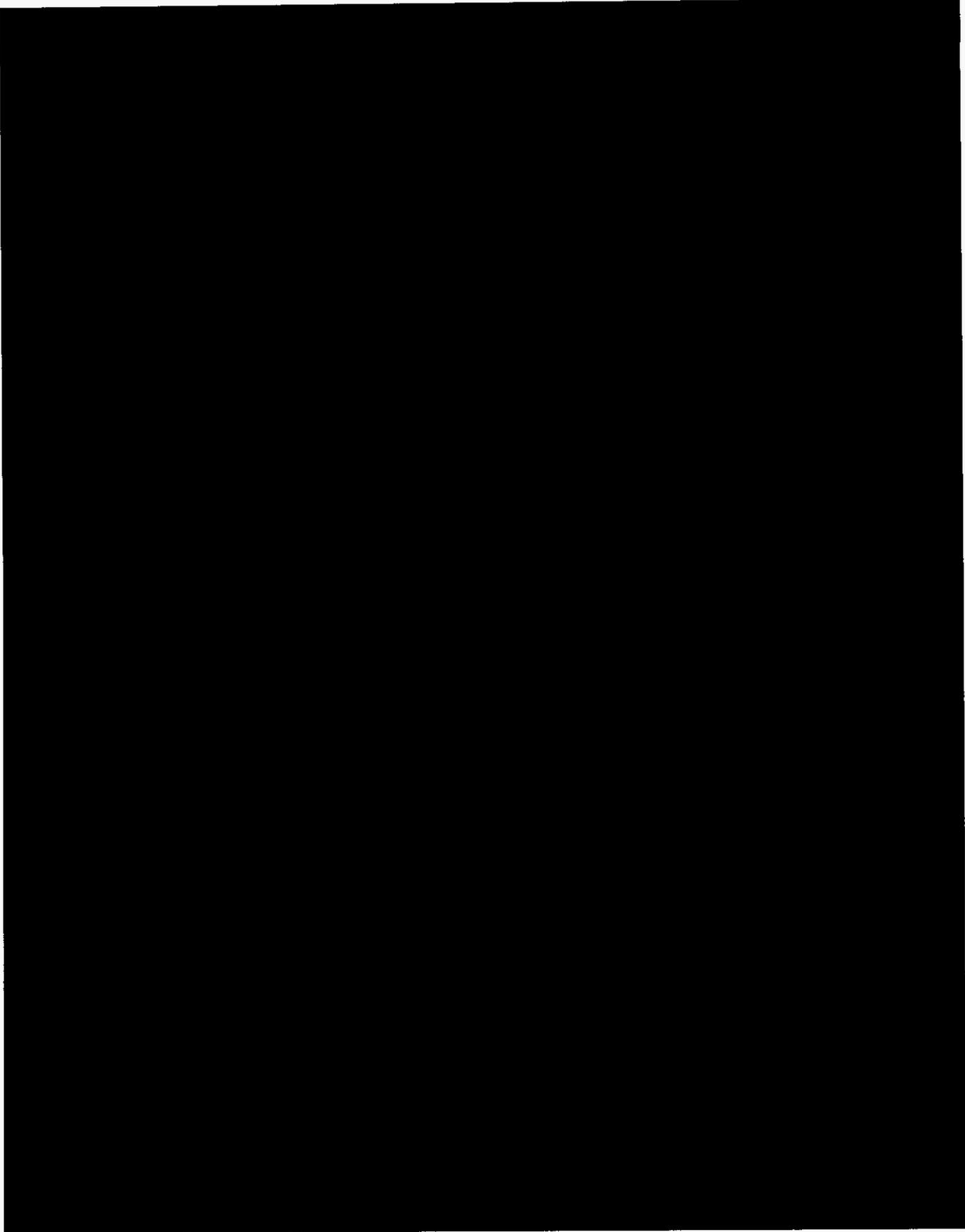


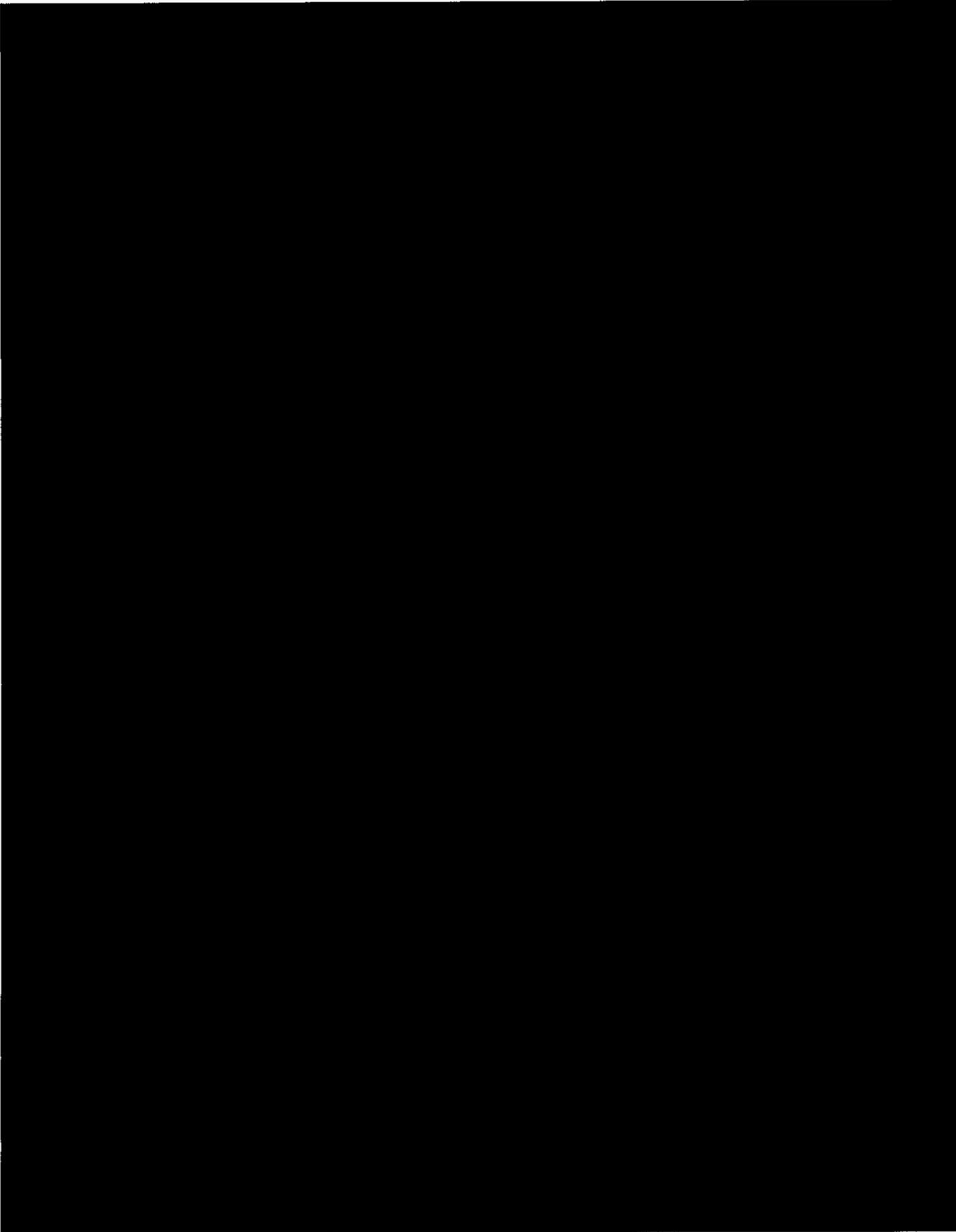


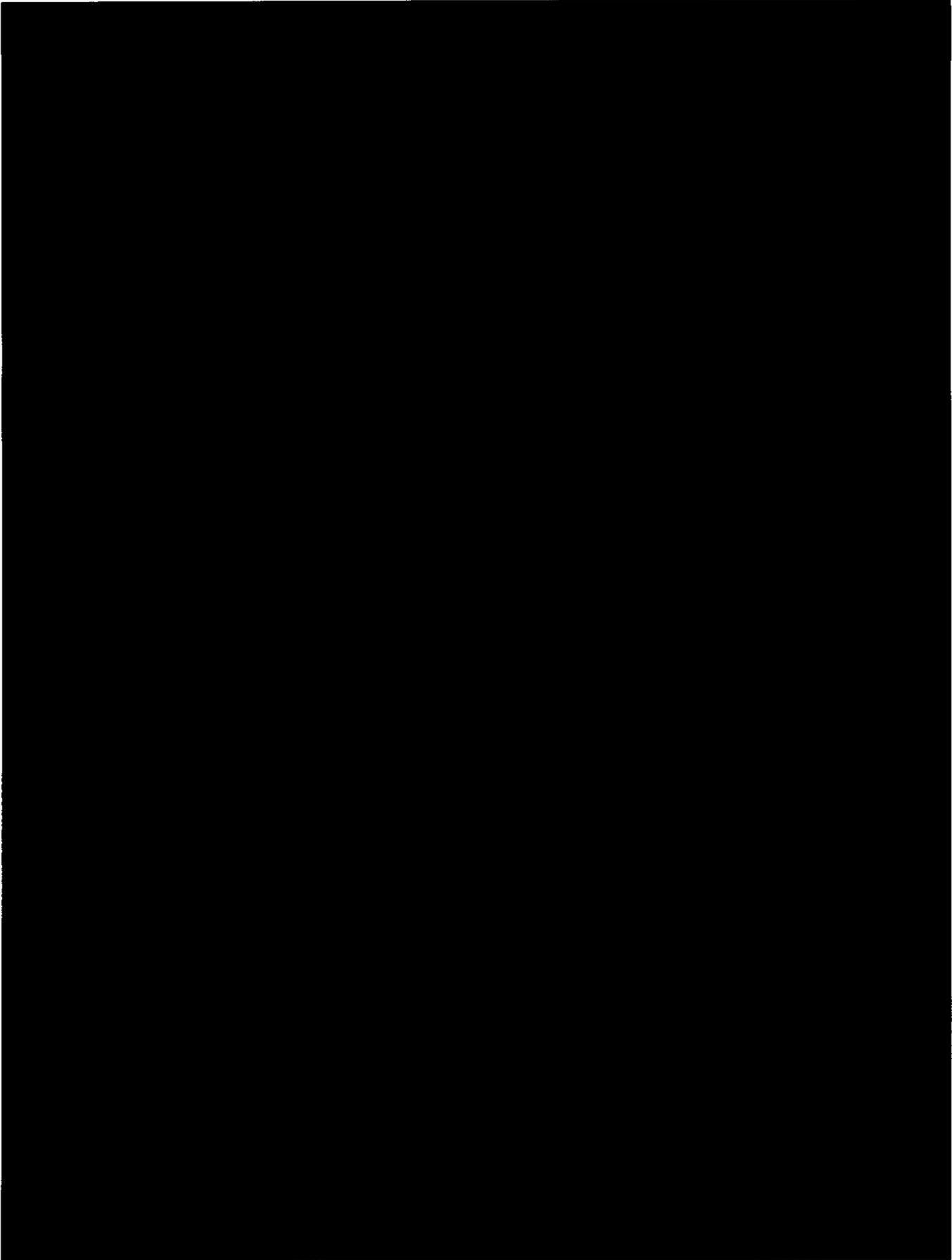


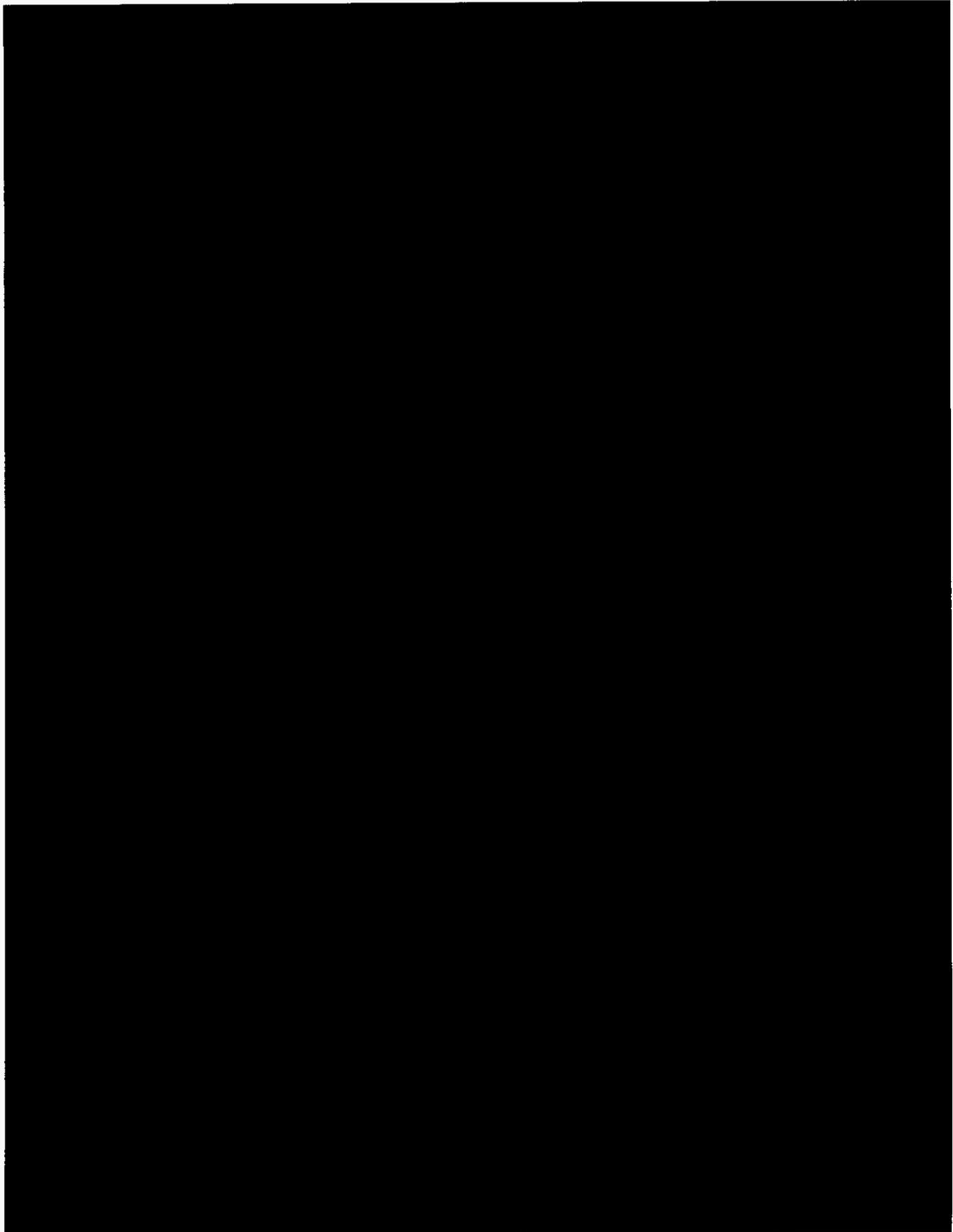


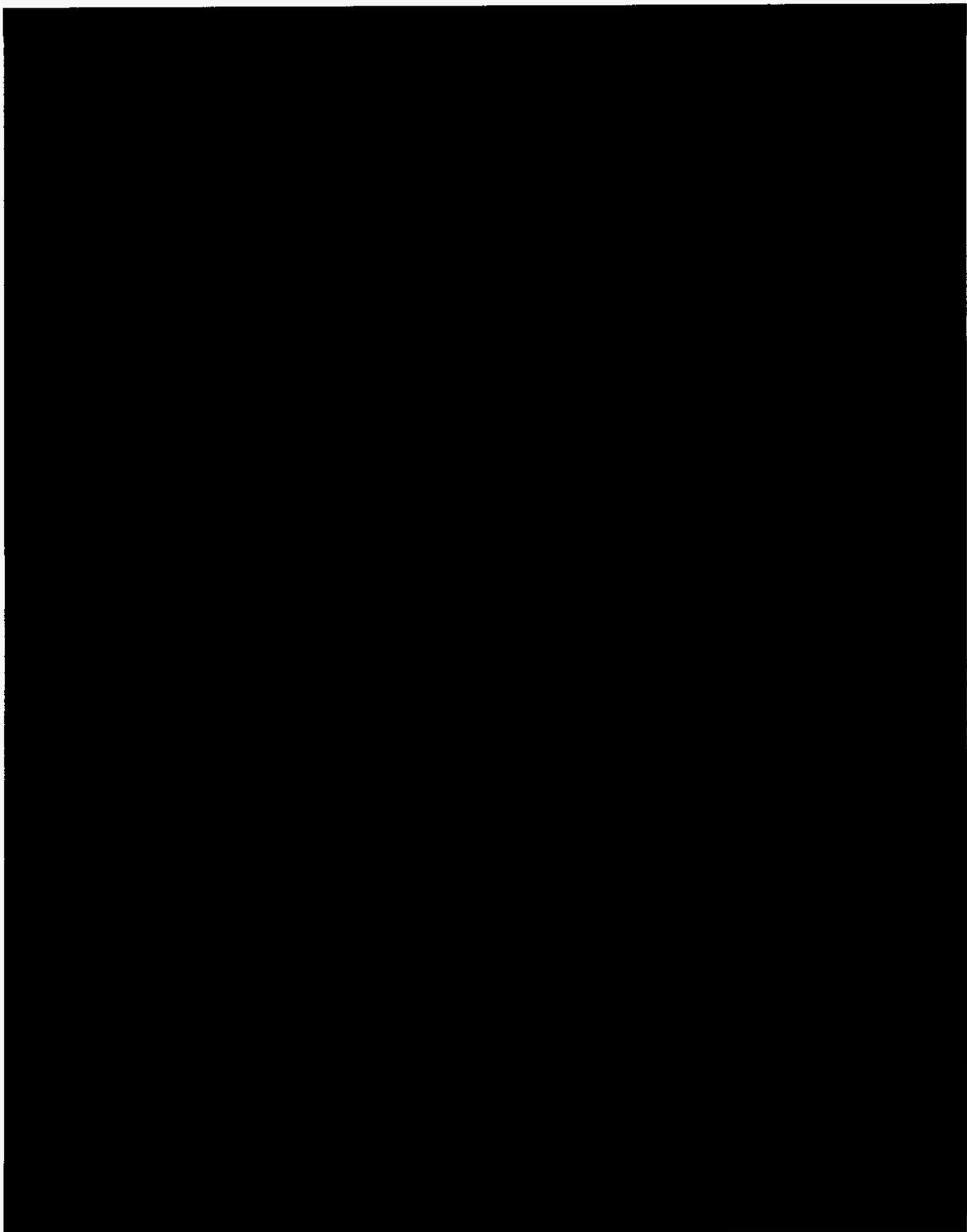


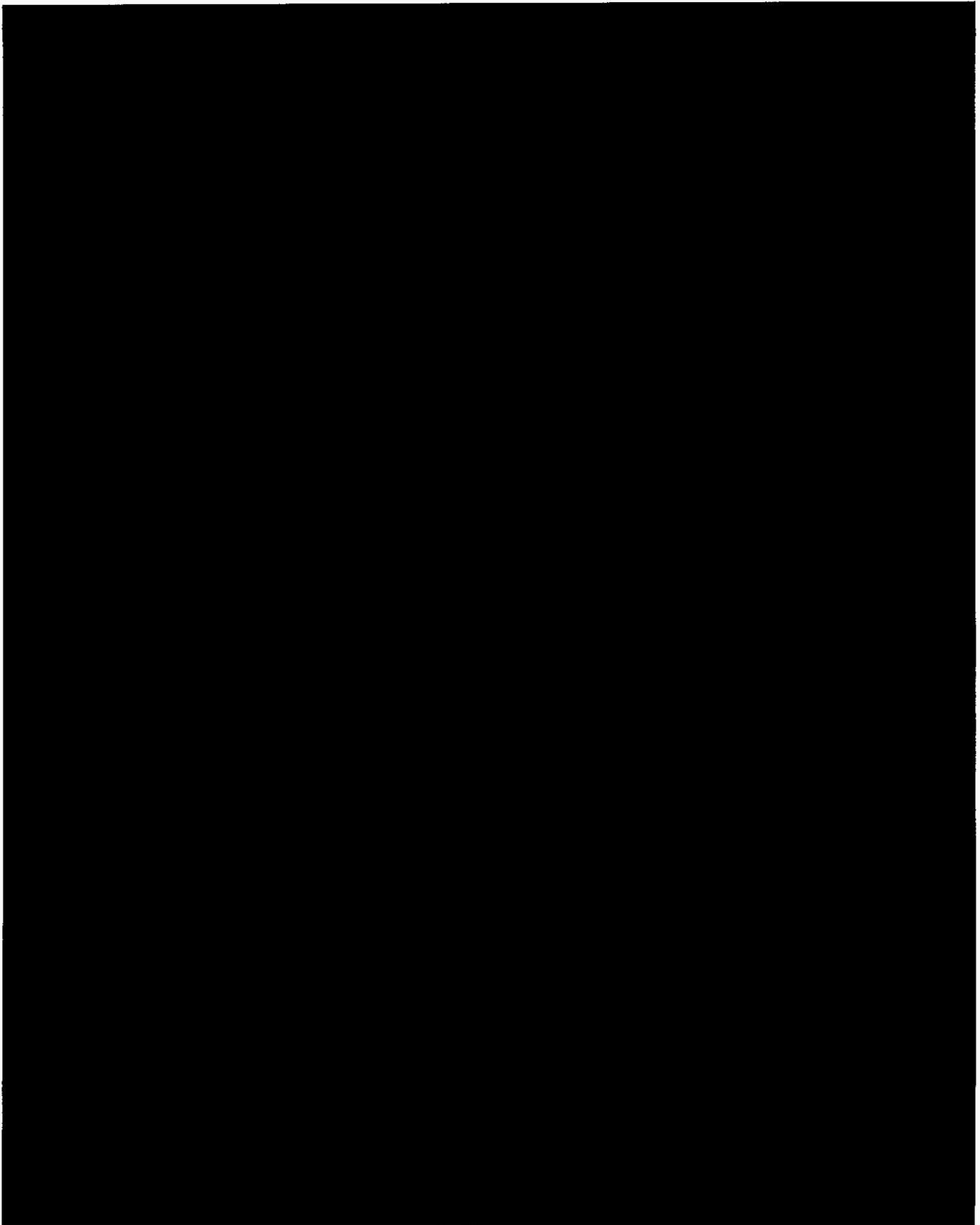


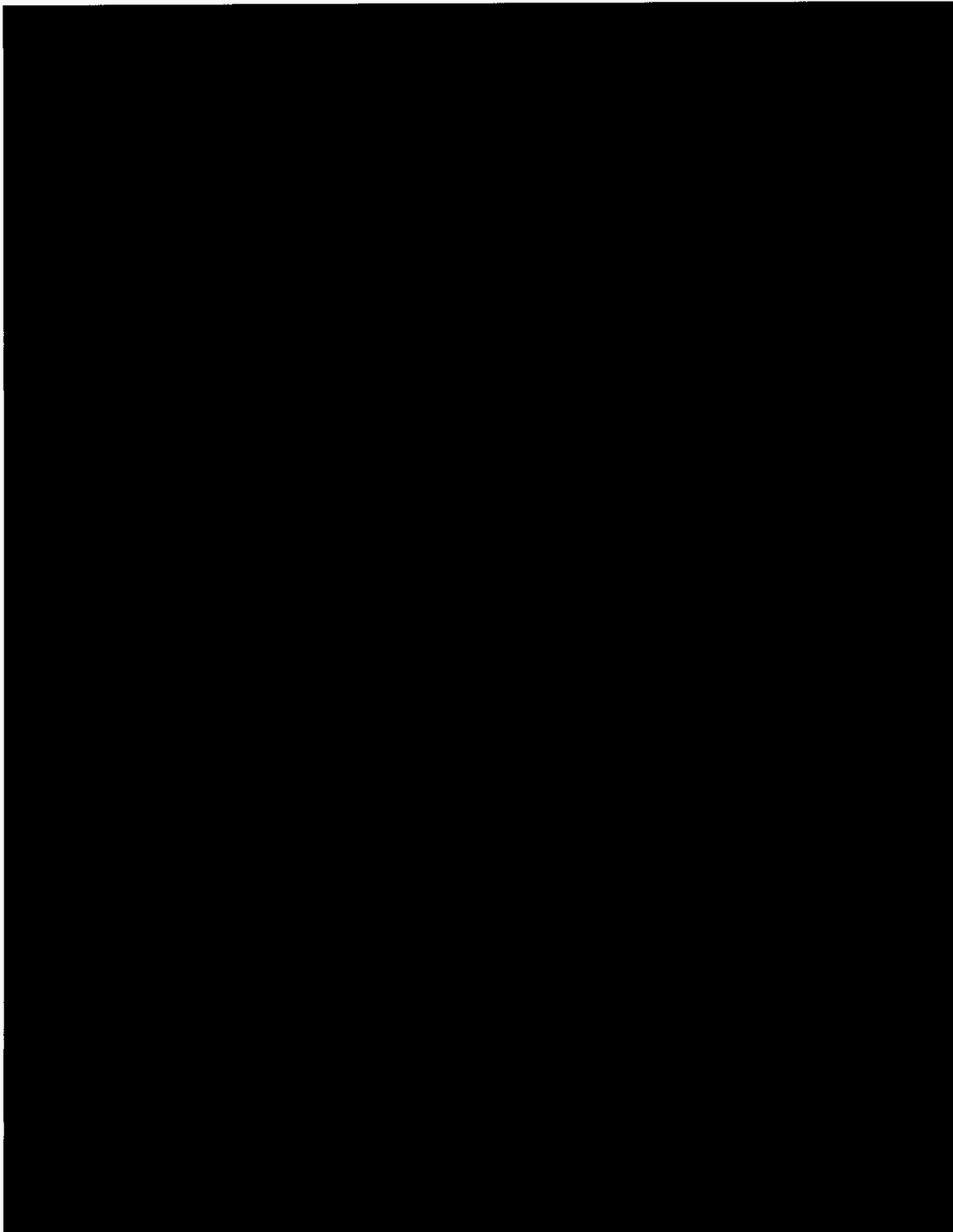


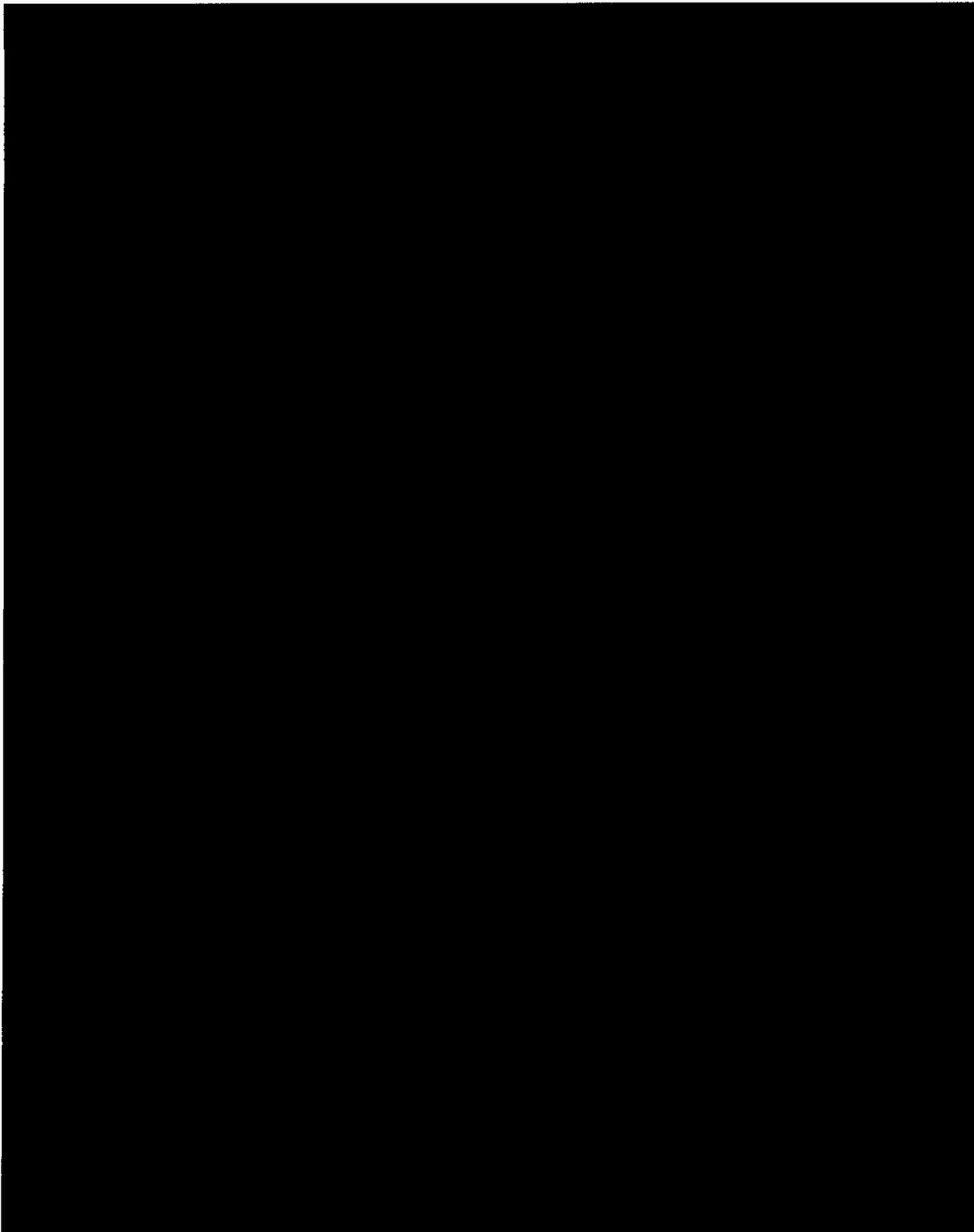


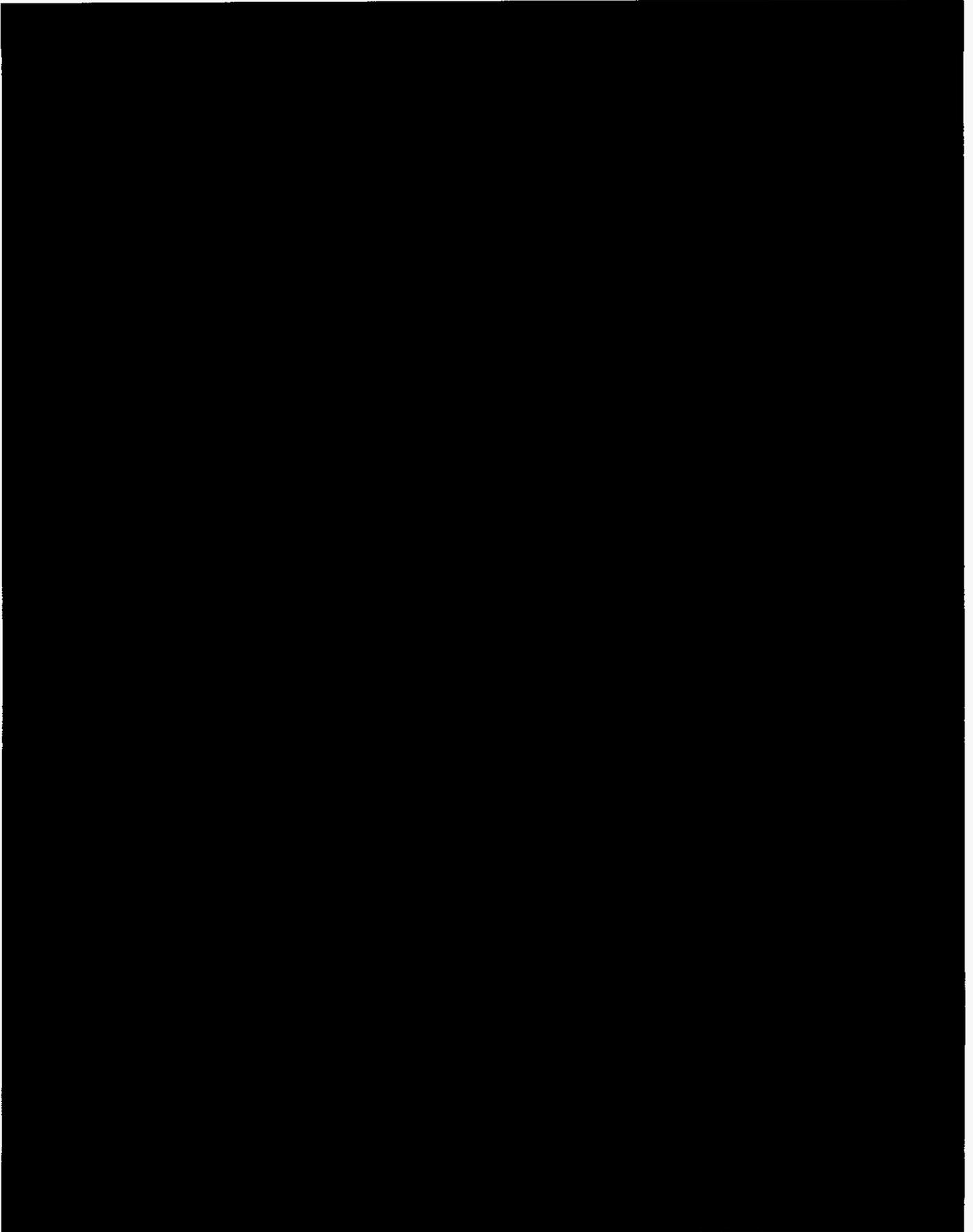


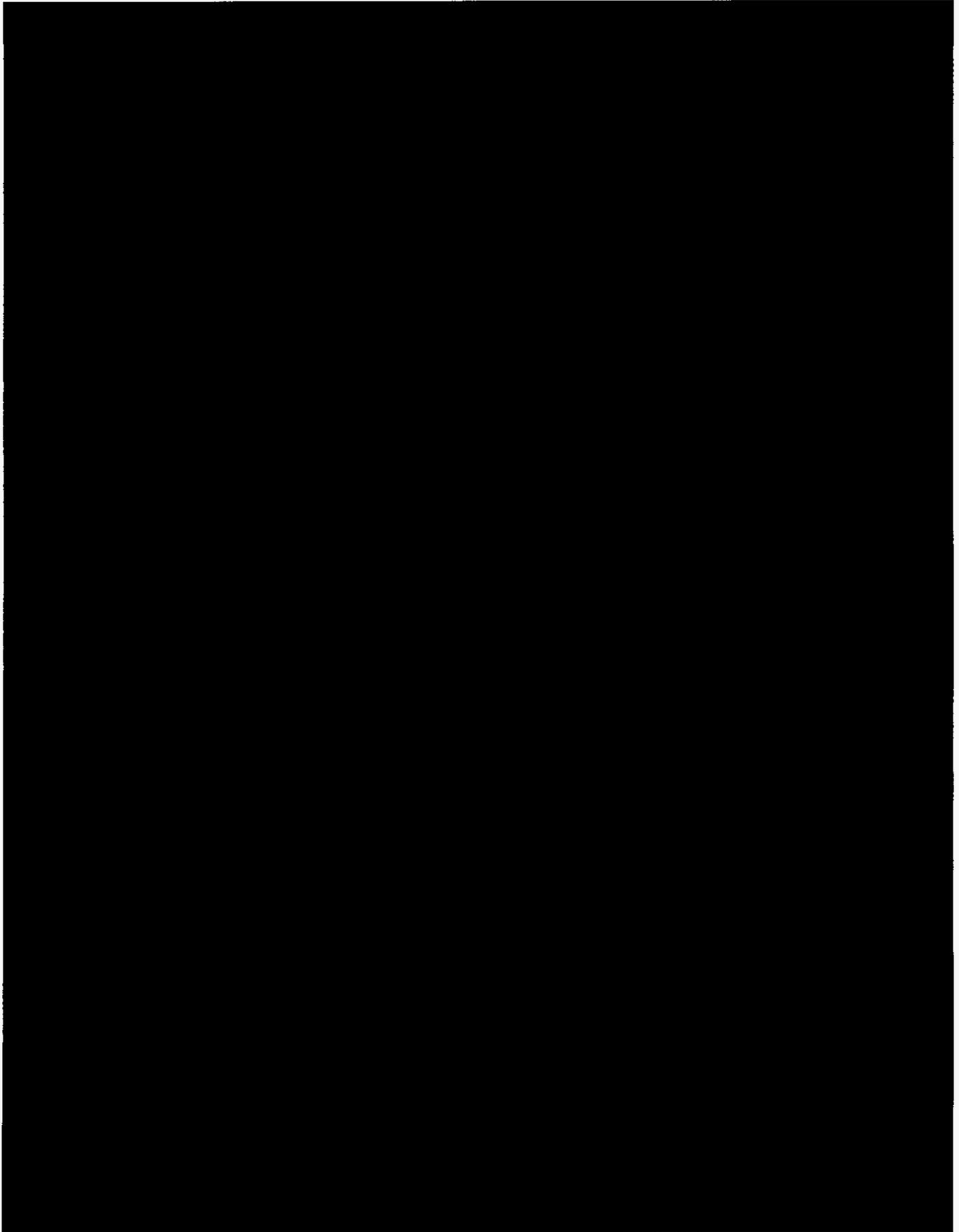


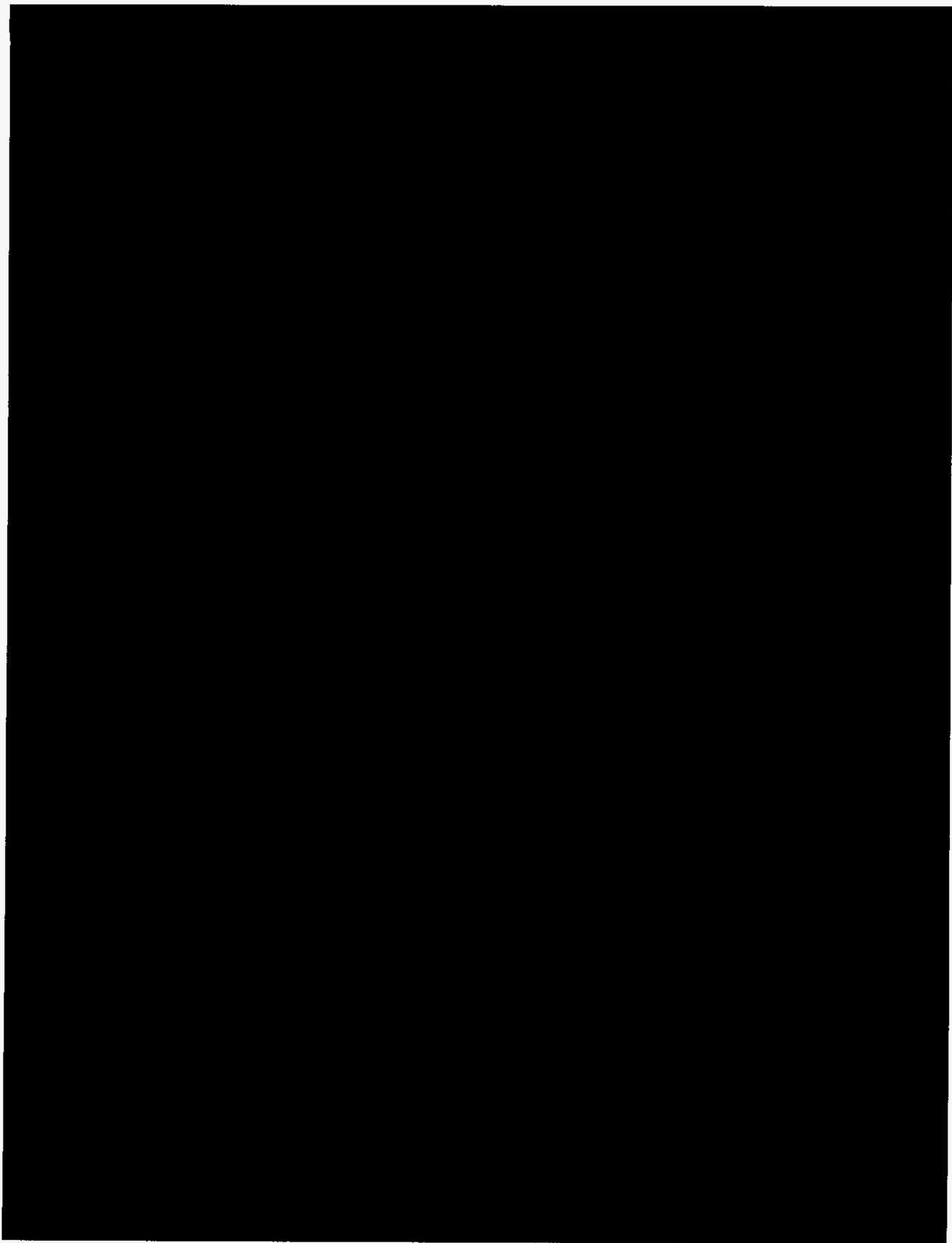


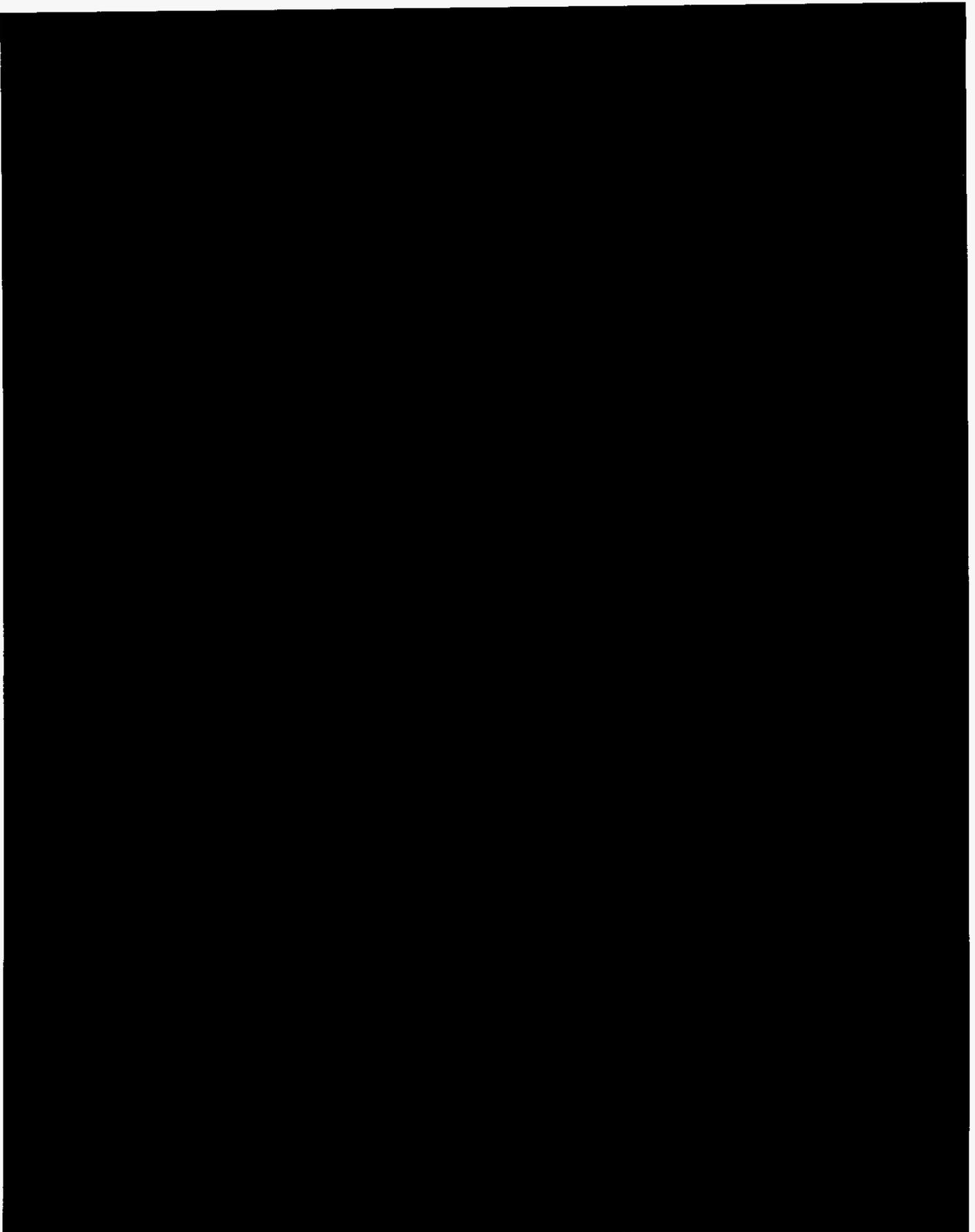


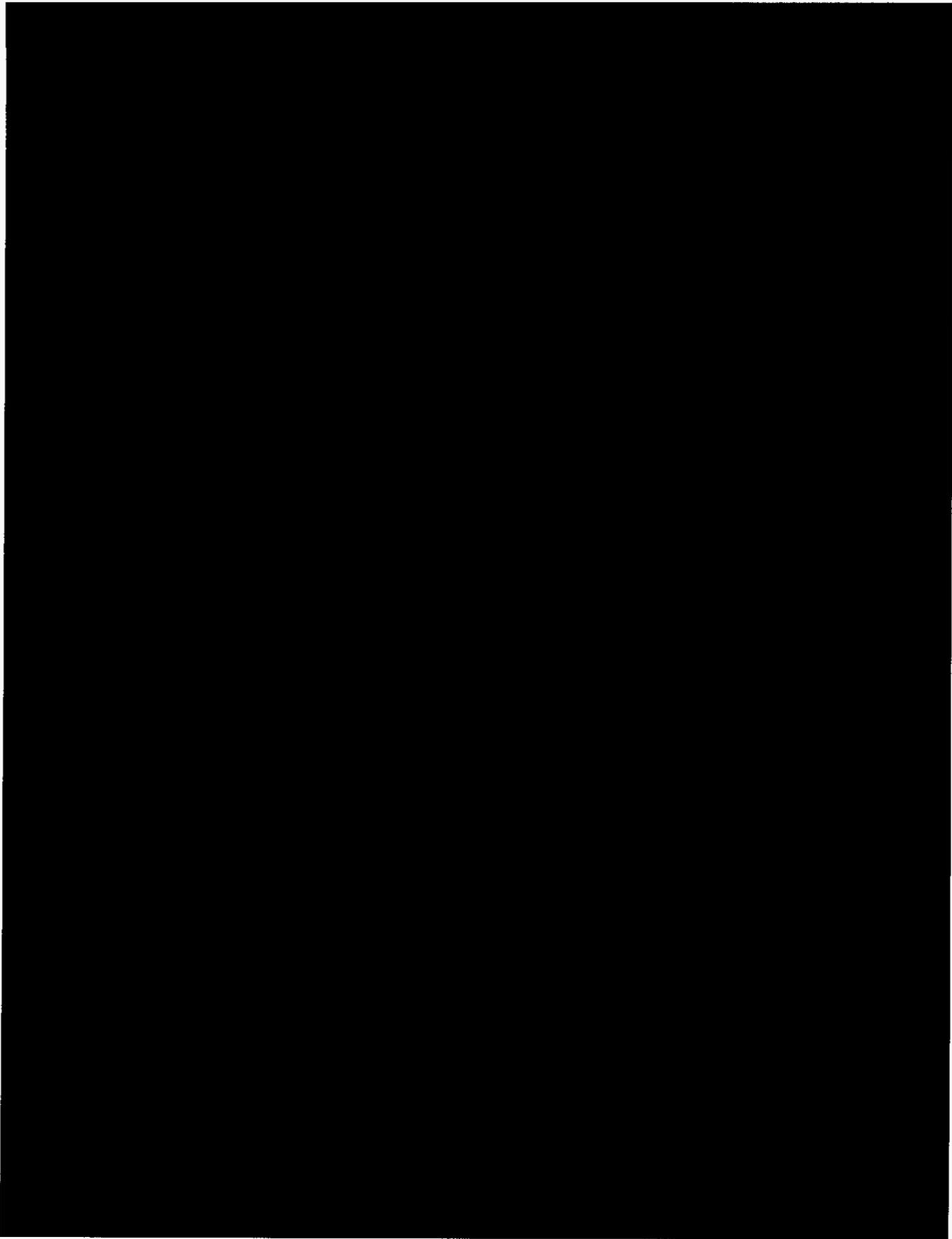


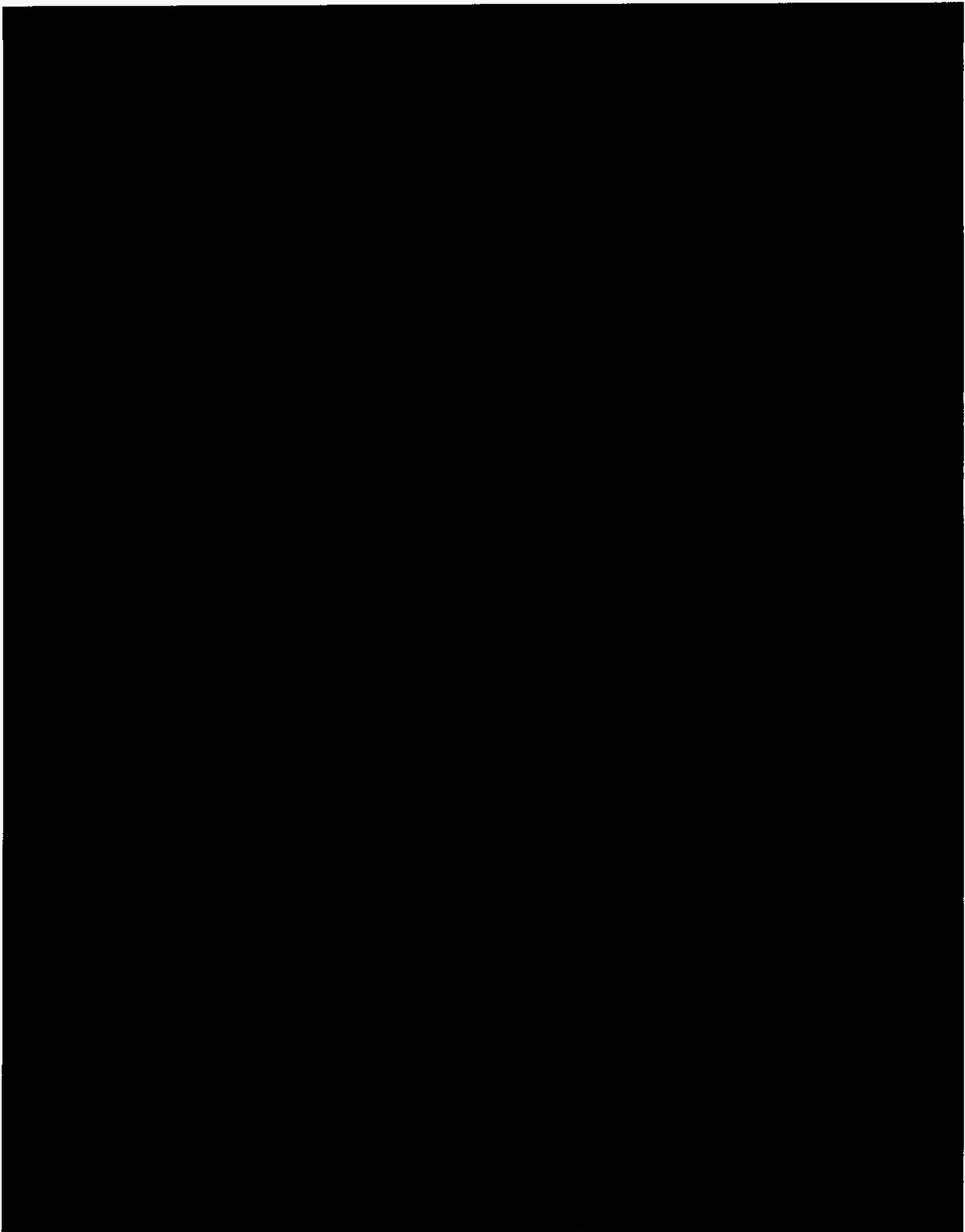


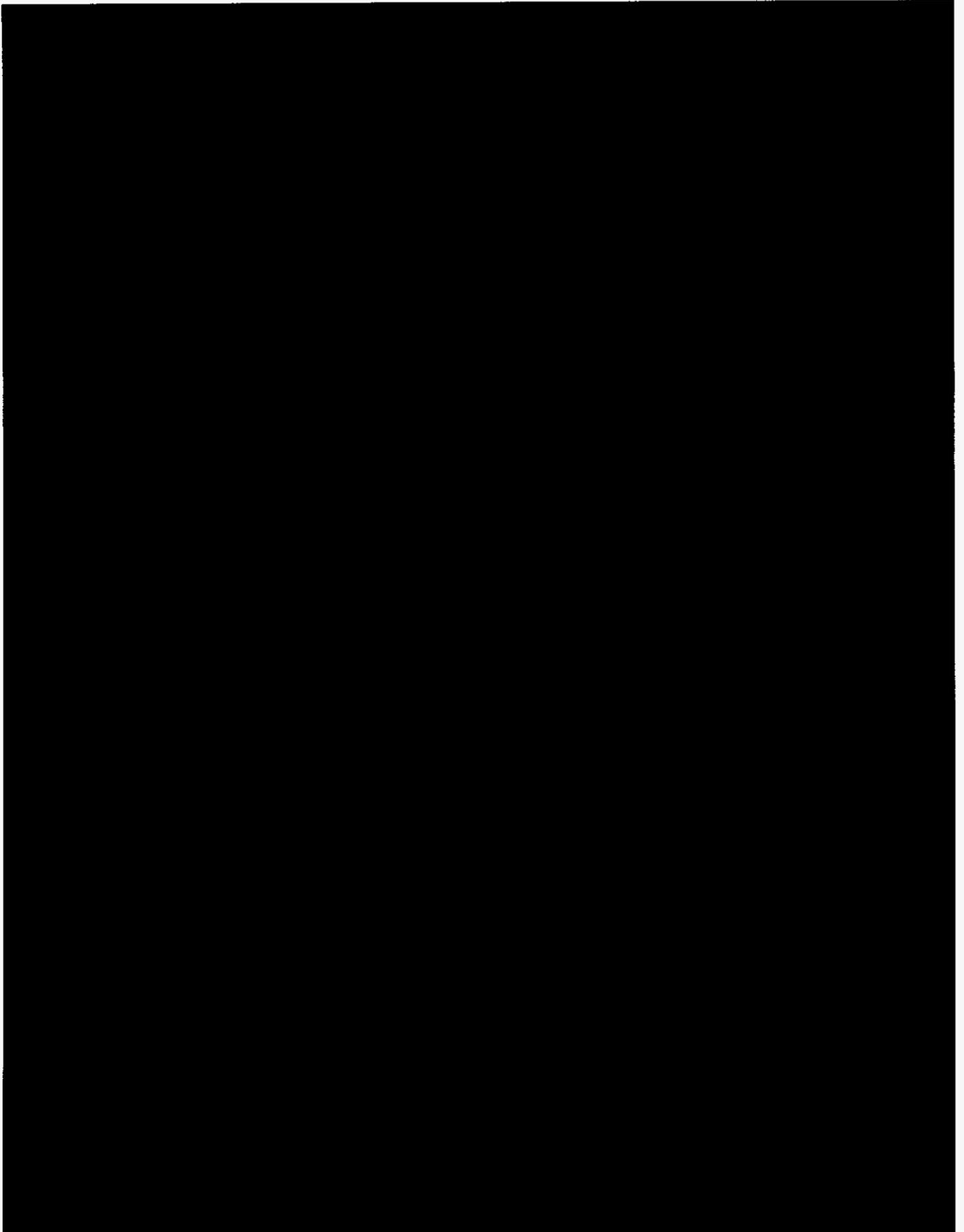


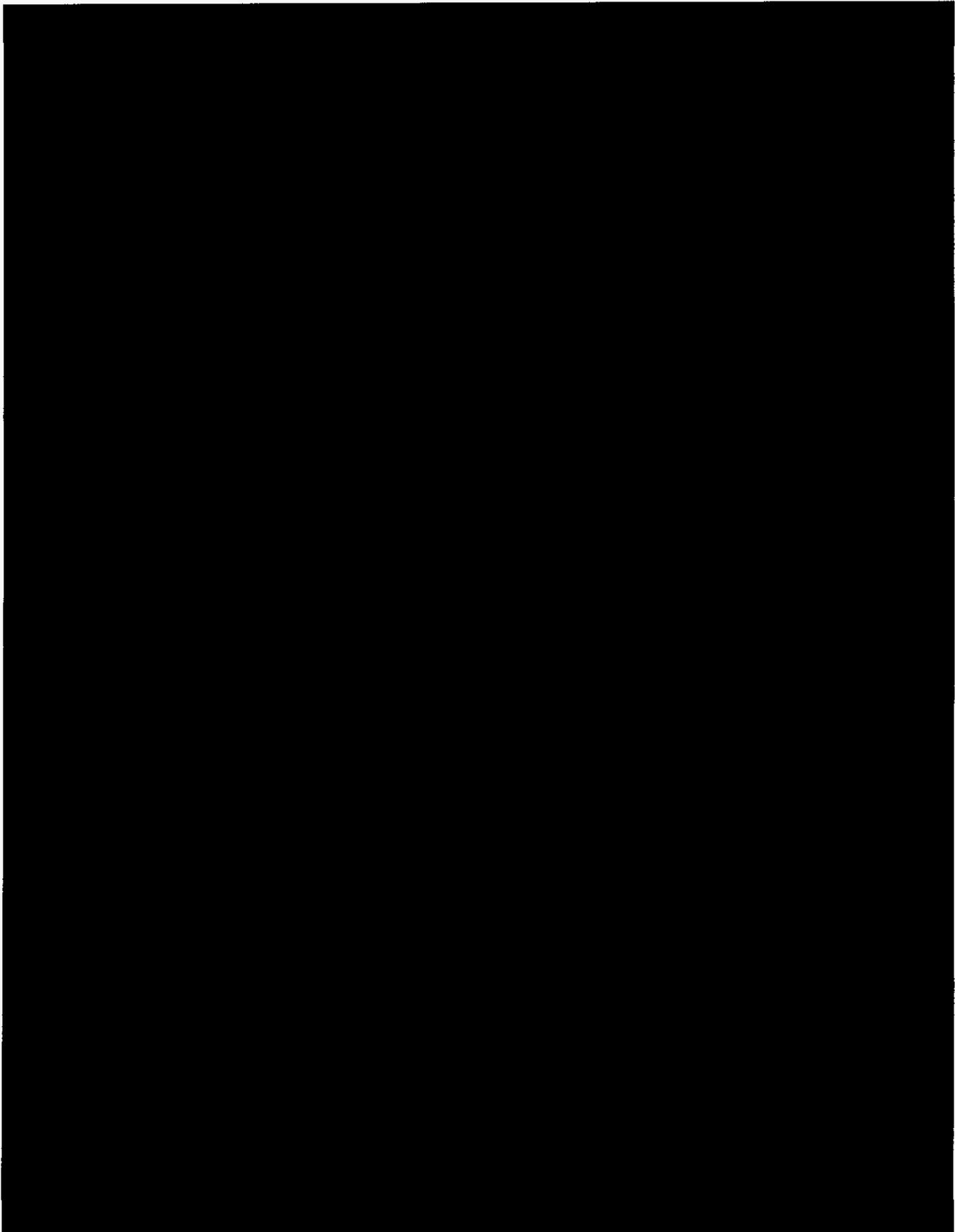


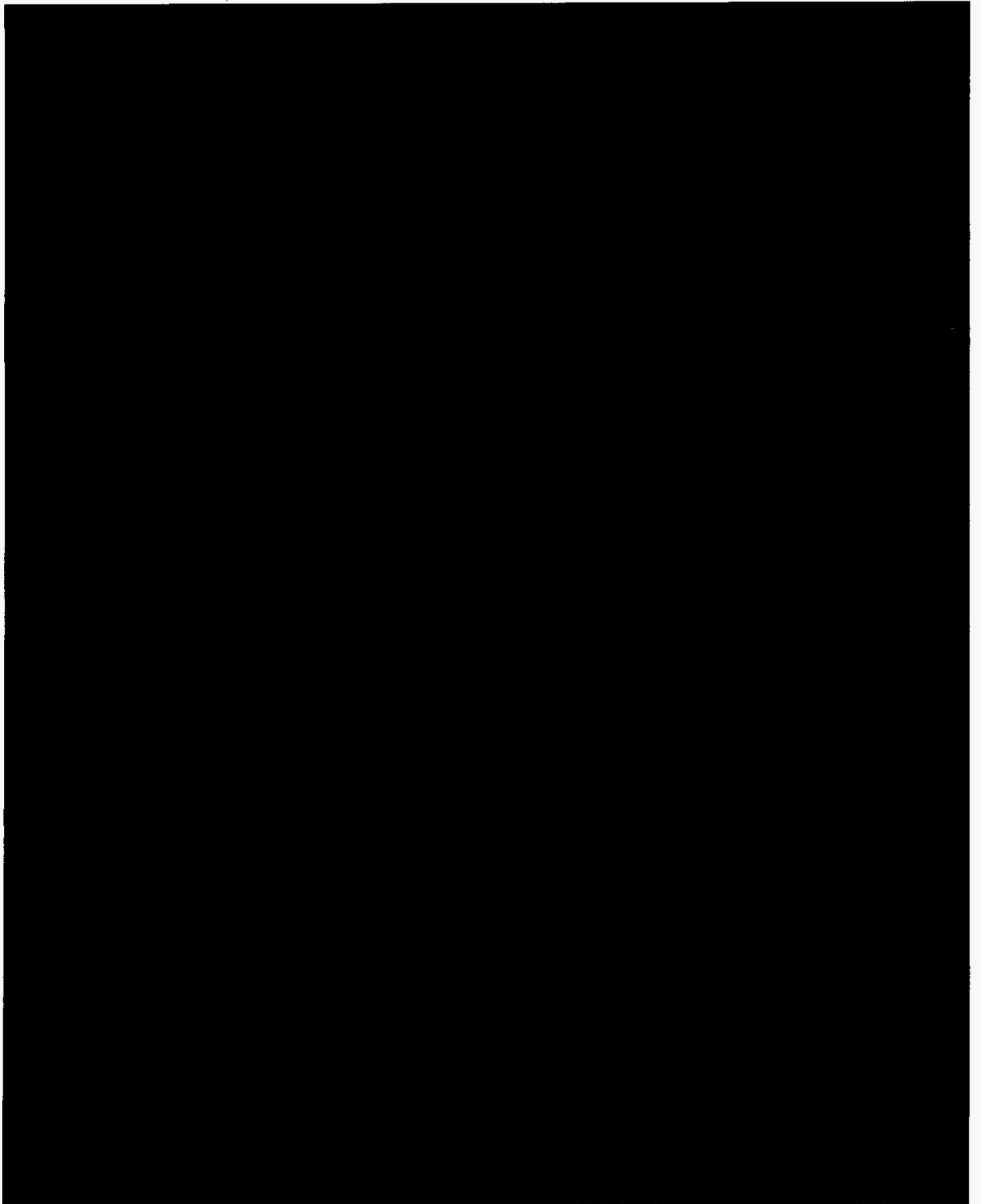


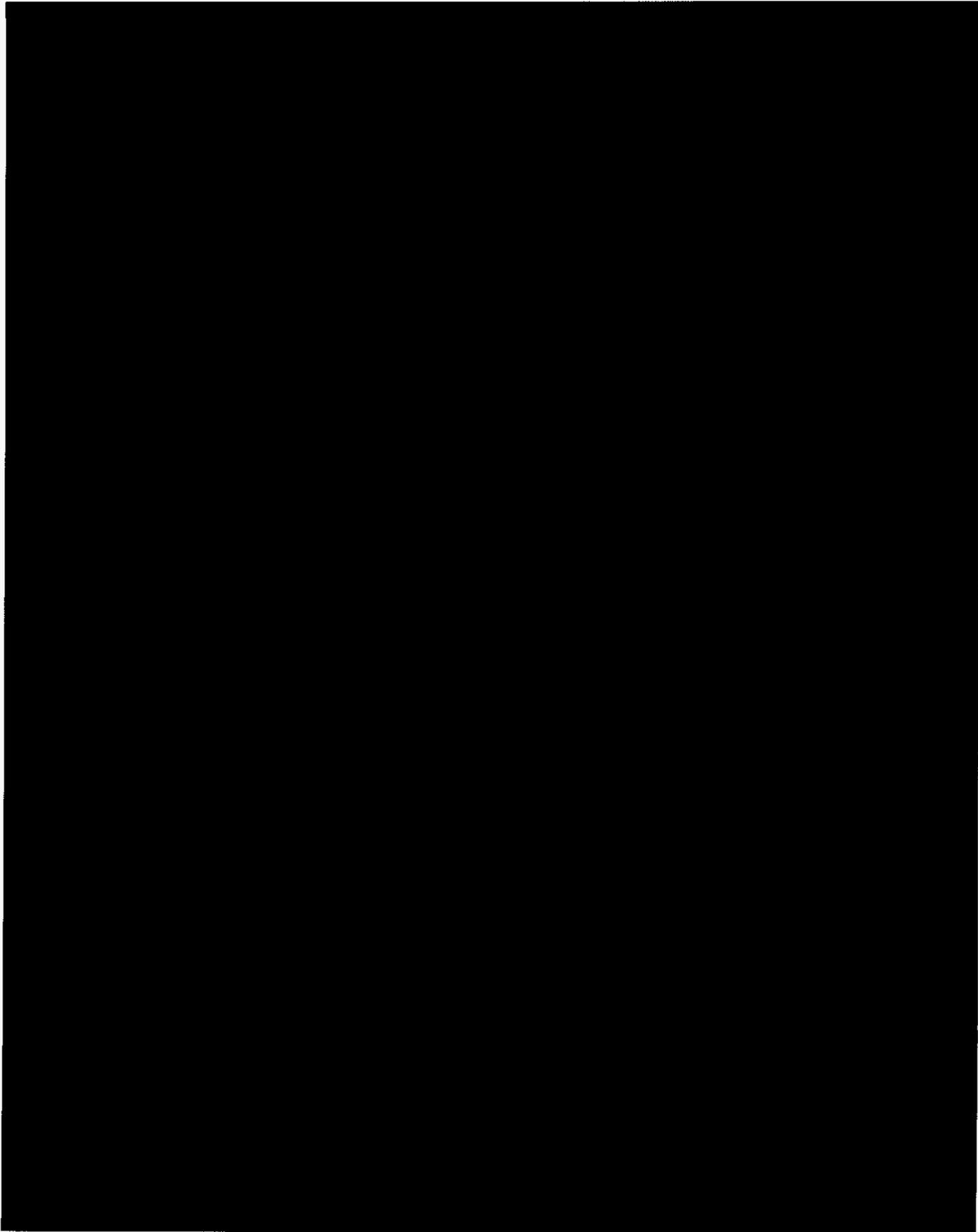


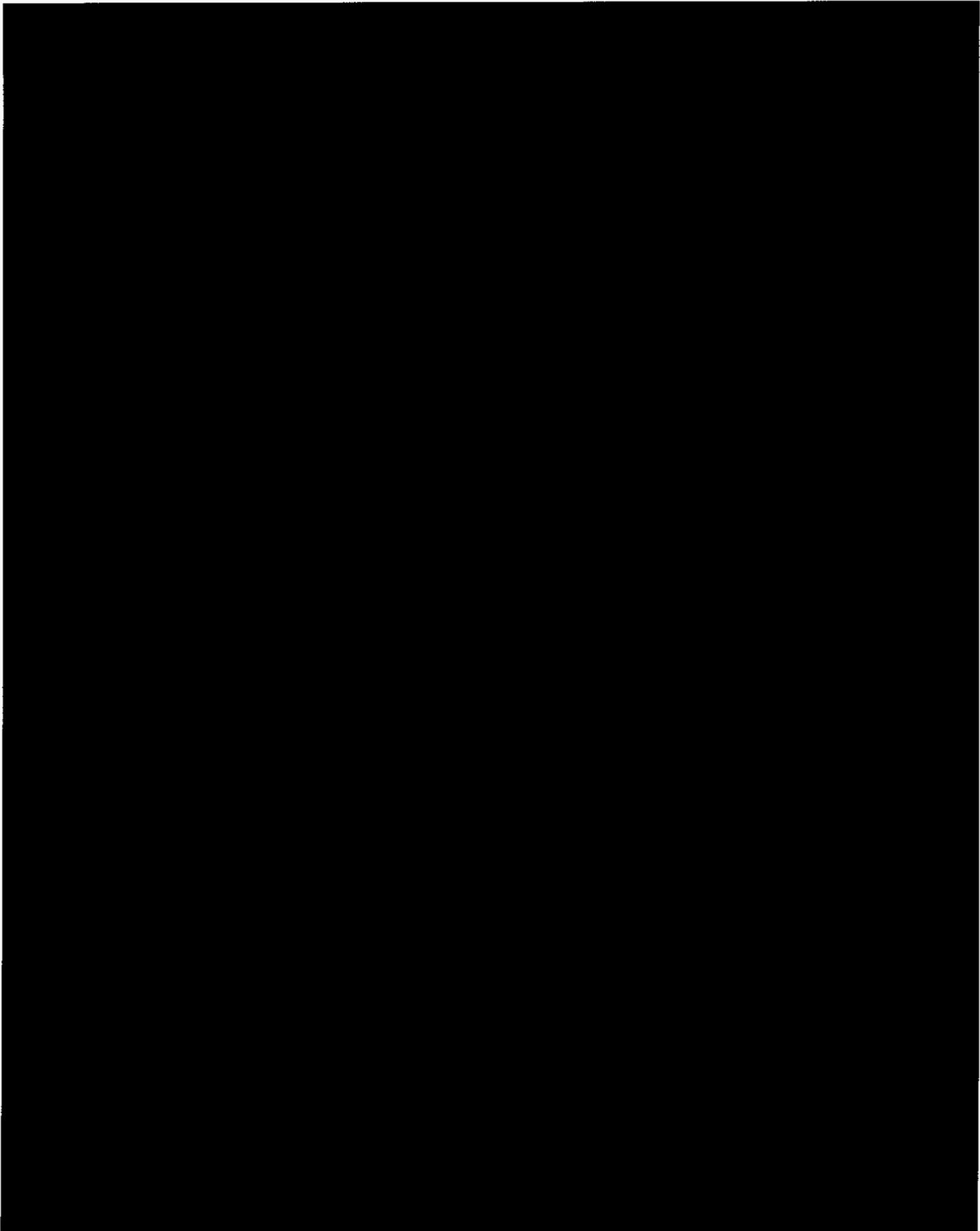


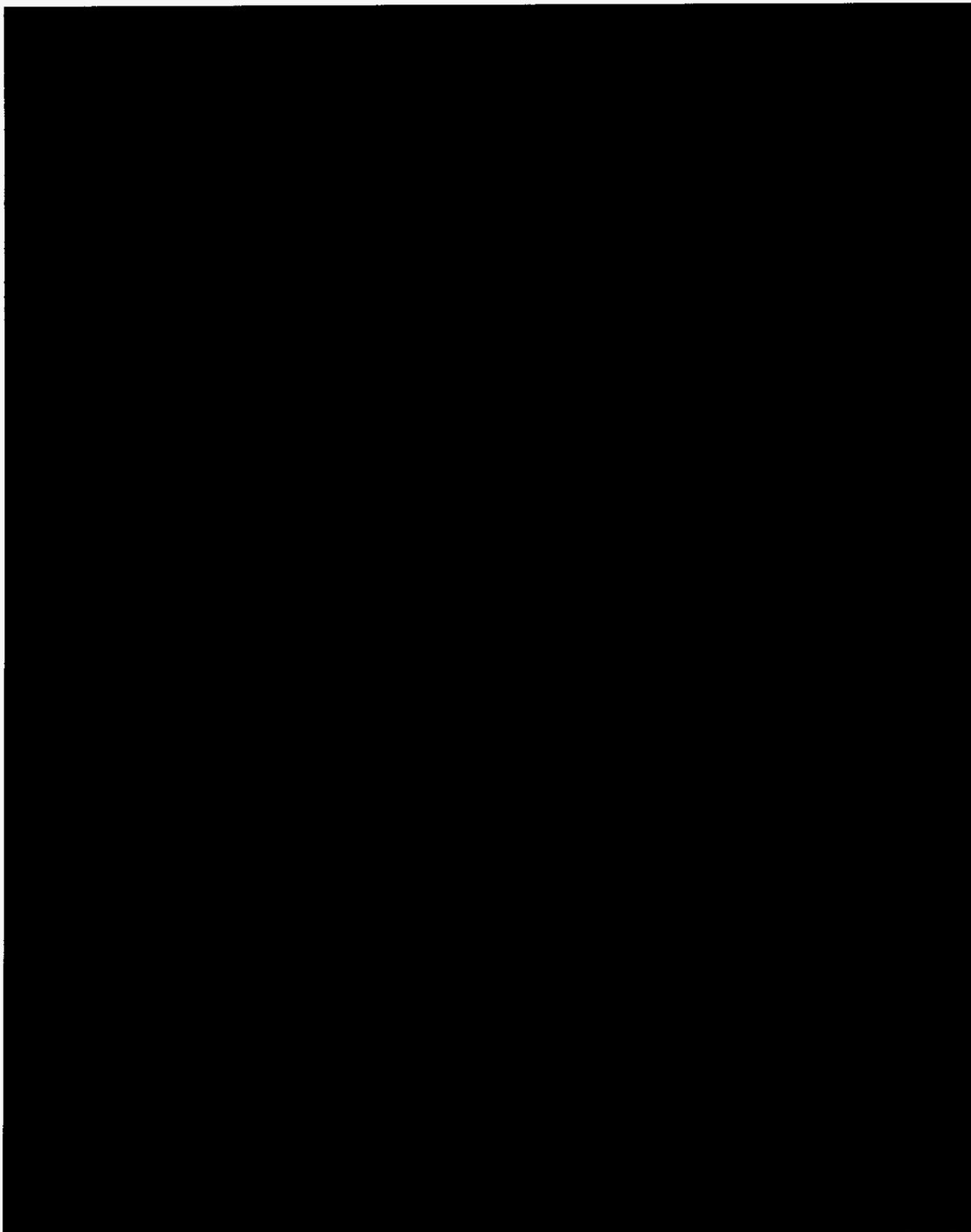


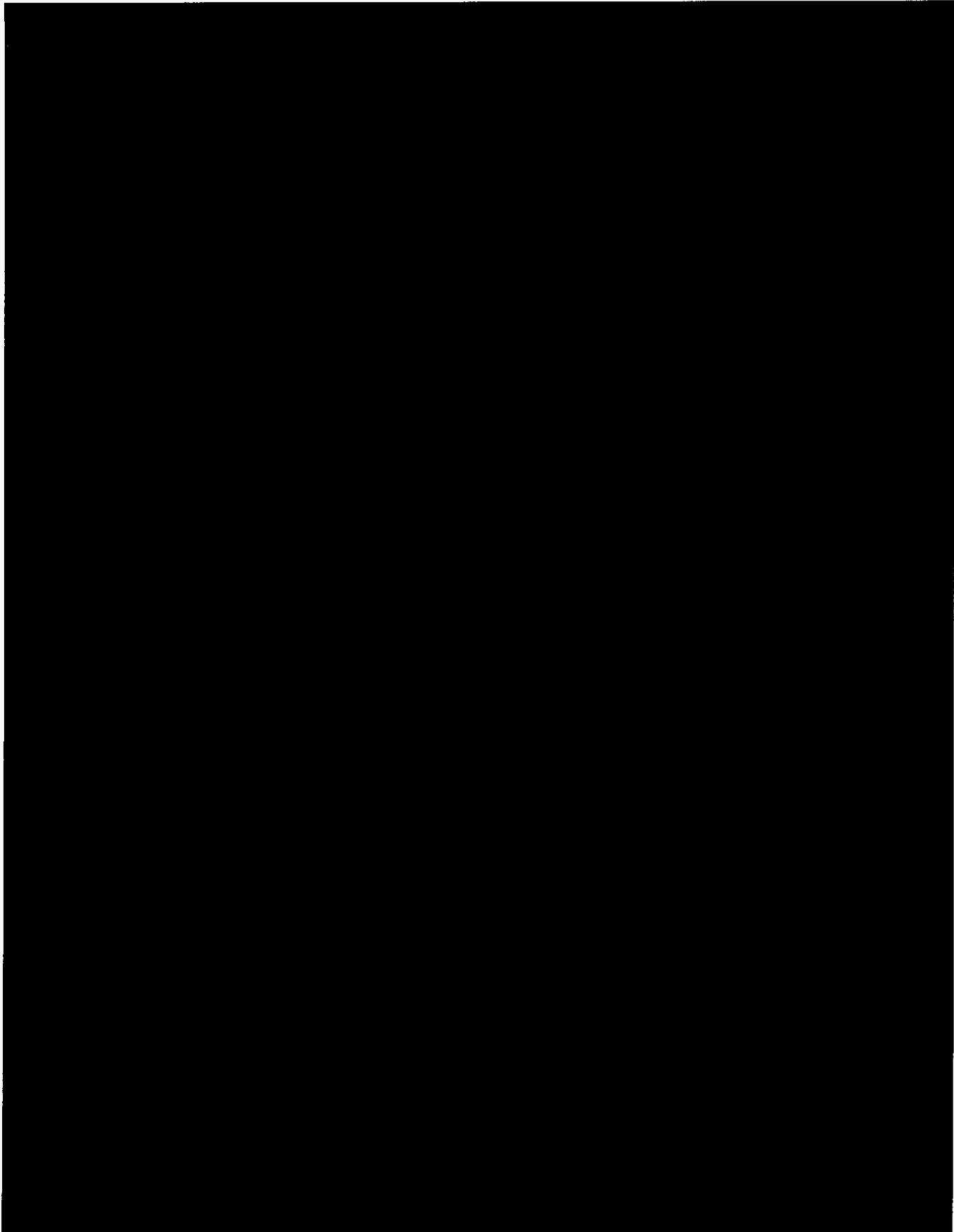


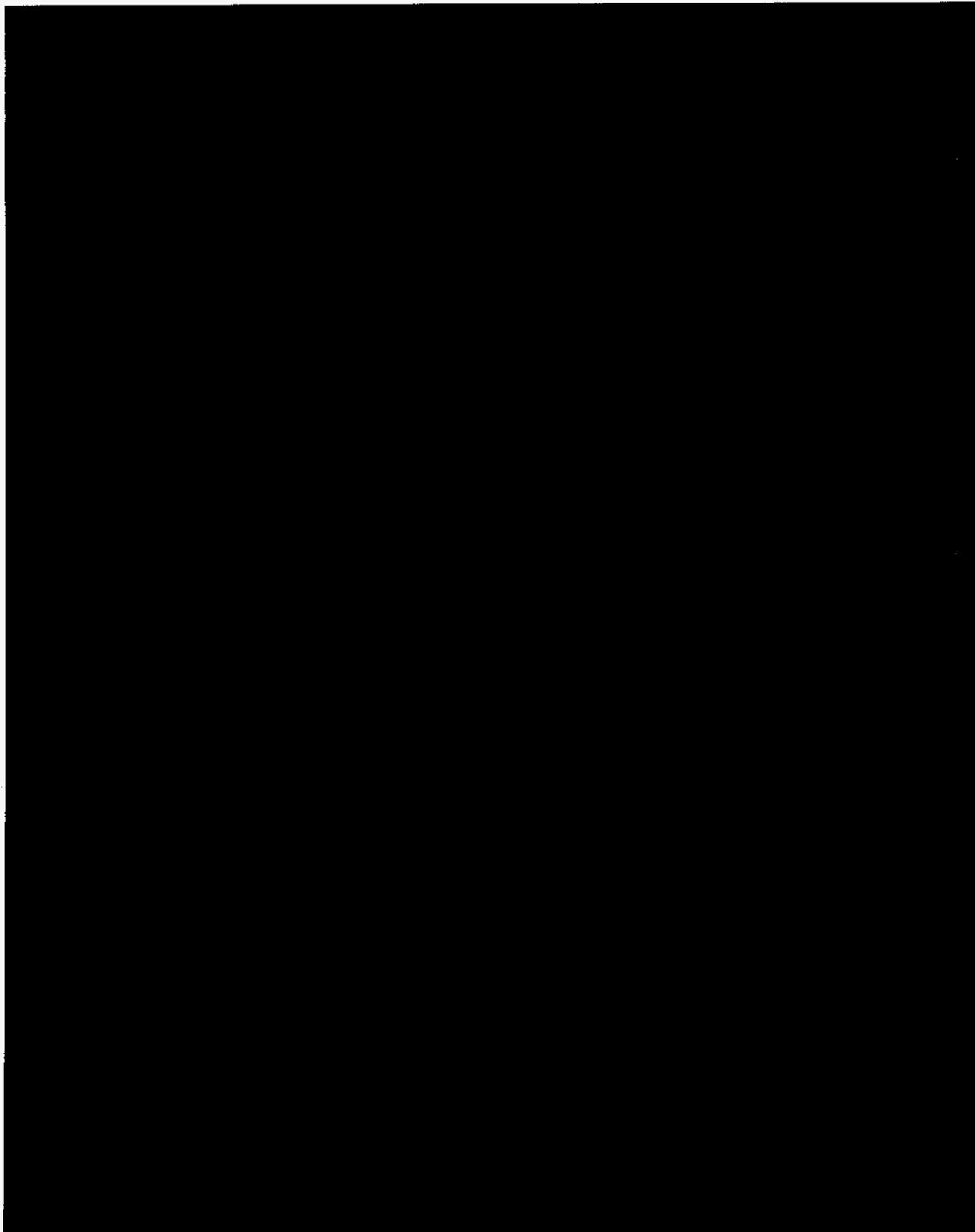


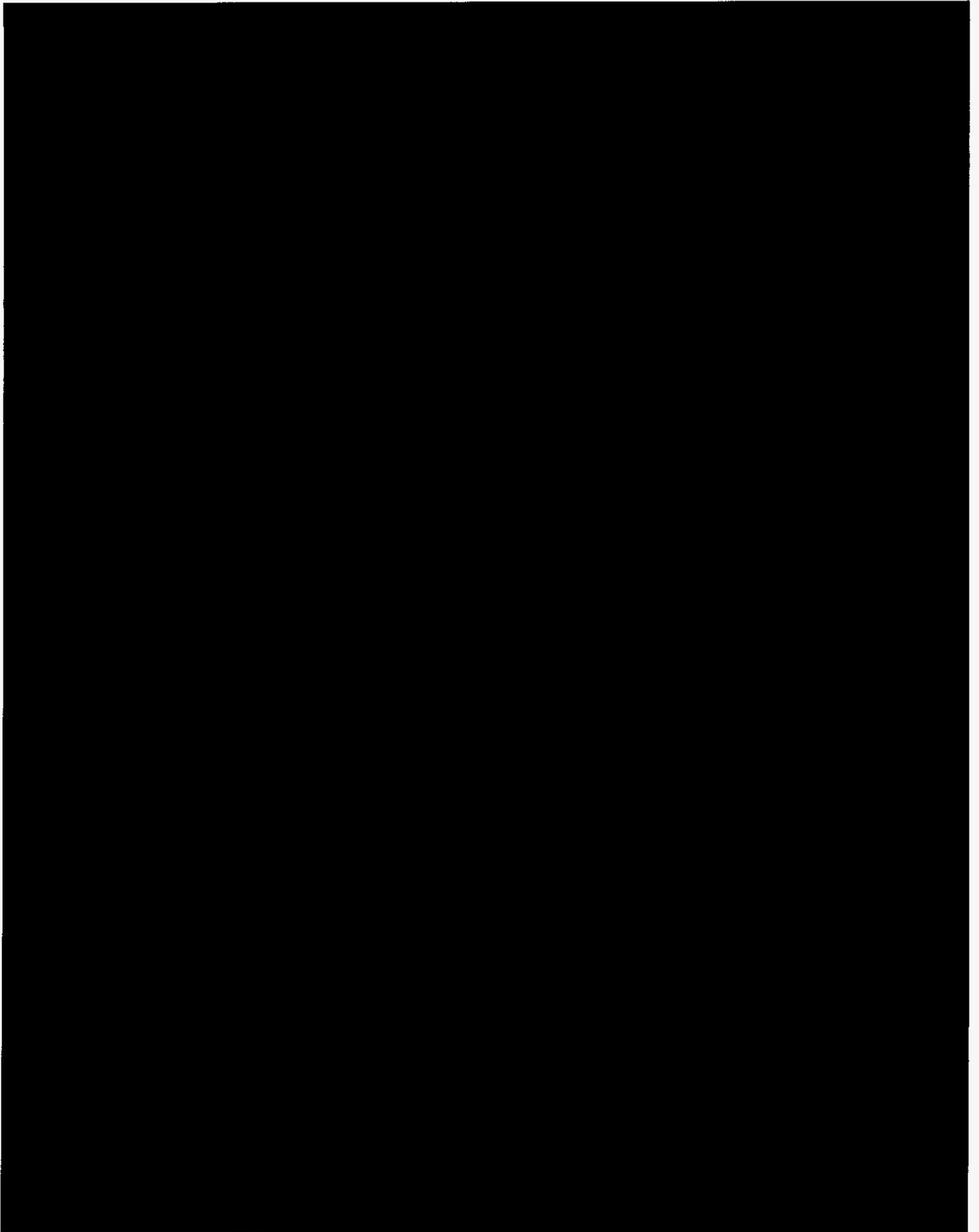


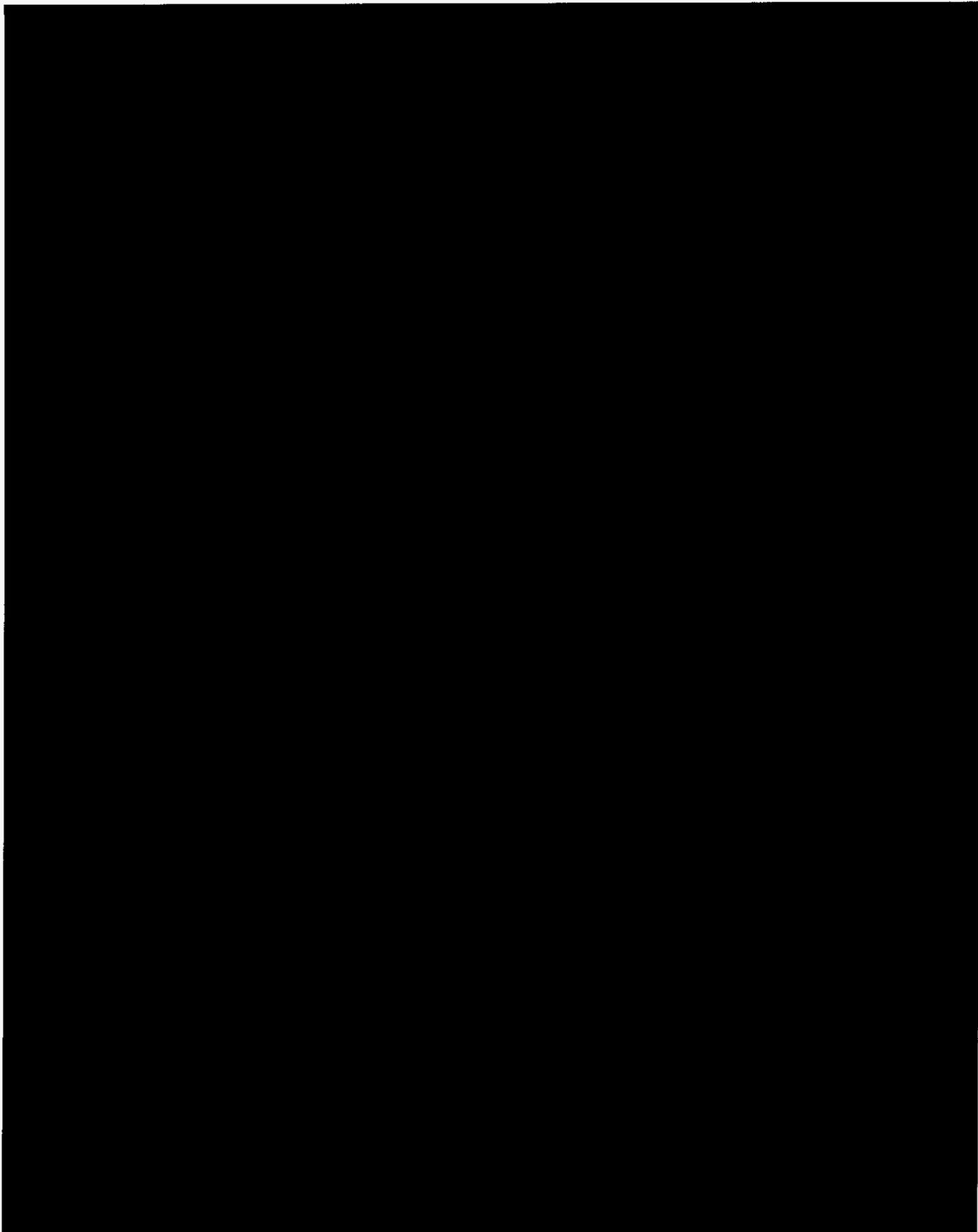












COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: February 19, 2009

TO: Ansley Watson, Macfarlane Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080318 or, if filed in an undocketed matter, concerning portions of documents produced per Citizens' Request for PODs, No. 59, and filed on behalf of Peoples Gas System. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE
01413 FEB 19 08
FPSC-COMMISSION CLERK

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850
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