



Public Service Commission

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COMMISSION
CLERK

DATE: March 9, 2011
TO: Division of Economic Regulation, Officer of Primary Responsibility
FROM: Office of Commission Clerk
RE: CONFIDENTIALITY OF CERTAIN INFORMATION
Docket No(s): 090539-GU - Document No(s): 01137-11
Description: FCG (Self) - (CONFIDENTIAL) Certain material contained in response to staff's 2nd set of interrogatories, Item Nos. 28a, 33, 34, and 35-37; and 2nd request for PODs, Item No. 11.
Source: Florida City Gas

The above-referenced confidential material was filed along with a request for confidential classification. Please check all applicable information and forward a copy to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation. Copies of your recommendation should also be filed with the Office of Commission Clerk and the Office of General Counsel.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (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 information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;

- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by /s/ William B. McNulty Date: March 9, 2011

DOCUMENT NUMBER-DATE

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

-M-E-M-O-R-A-N-D-U-M-

DATE: March 9, 2011
TO: Anna R. Williams, Senior Attorney, Office of the General Counsel
FROM: William B. McNulty, Economic Analyst, Division of Economic Regulation
RE: Florida City Gas' Request for Confidential Classification (Document No. 01137-11)

Pursuant to Section 366.093 of the Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida City Gas (FCG, or the Company) requests confidential classification of highlighted information in certain portions of its response to Staff's Second Set of Interrogatories, Item Nos. 28a and 33-37 and Staff Second Request for Production of Documents, Item No. 11 provided in Docket No. 090539-GU (Petition for approval of Special Contract Transportation Service Agreement with Florida City Gas by Miami-Dade County through Miami-Dade Water and Sewer Department).

Florida City Gas justifies its request for confidentiality based on the proprietary numbers containing either customer-information or information from which customer specific information may be easily derived. According to FCG, such customer-specific information is not released to the public and if disclosed, harms ratepayers' right to privacy. The Company further states that these numbers also, if made public, would negatively impact the competitive interests of the company (and hence ratepayers) in the Company's negotiations of other agreements.

Florida City Gas's request for confidential classification includes the following: FCG Confidential Response to FPSC Staff's Second Set of Interrogatories, Item No. 28a, Columns A and B, Lines 10-21; Item No. 33, Pages 1-5, Columns A-C, Line 12; Item No. 34, Pages 1-4, Columns A-AO, Lines 9-12 and 15; Items 35-37, Page 1, Lines 3,6,7,10,11; and FCG Confidential Response to Staff's Second Request for Production of Documents Item No. 11, Page 1, Column B-D, Lines 4, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 35, 36, 37, 45, 46, and 47. The information for which confidential classification is requested includes customer names, customer account numbers, rate, revenue, usage, and financial information.

Staff has reviewed Florida City Gas's confidentiality request. In staff's opinion, the request meets the criteria for confidentiality contained in Section 366.093, Florida Statutes.

WBM/wbm