

Writer's Direct Dial Number: (850) 521-1706
Writer's E-Mail Address: bkeating@gunster.com

January 11, 2018

HAND DELIVERY

Ms. Carlotta Stauffer, Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: DOCKET NO. 20170179-GU - Petition for rate increase and approval of depreciation study by Florida City Gas.

REDACTED

Dear Ms. Stauffer:

Enclosed, please find the original and 7 copies of Florida City Gas's Amended and Supplemental Request for Confidential Classification and Motion for Protective Order of certain information in Exhibit DJN-14 and MFR Schedule H-1. One highlighted, and two redacted copies of the confidential information in MFR Schedule H-1 are also enclosed. Highlighted and redacted copies of Exhibit DJN-14 were provided on October 23, 2017.

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

Kind regards,


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

COM cc/ (Service List)

- AFD
- APA
- ECO + 1 redacted copy
- ENG
- GCL
- IDM
- CLK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida City
Gas.

DOCKET NO. 20170179-GU

DATED: January 11, 2018

AMENDED AND SUPPLEMENTED REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR PROTECTIVE ORDER

On October 23, 2017, Florida City Gas (FCG or the Company), pursuant to Rule 25-22.006, Fla. Admin. Code, submitted a Request for Confidential Classification to the Florida Public Service Commission (the Commission) seeking entry of an order protecting from public disclosure certain portions of Exhibit DJN-14 to the Direct Testimony of Daniel J. Nikolich (the Nikolich Exhibit) and certain portions of the Direct Testimony and Exhibit GB-2 to the Direct Testimony of Gregory Becker (the Becker Testimony, and the Becker Exhibit, respectively)(cross-reference Commission document no. 09065-2017).

On October 26, 2017, by Supplemental Request, the Company asked that, in ruling upon the Company's October 23, 2017, Request for Confidential Classification, the Commission also grant a Temporary Protective Order, in accordance with Rule 25-22.006(6), Florida Admin. Code, to protect this same information to be provided to the Office of Public Counsel. In support of this request, the Company adopts, *in toto*, the rationale and justifications for the confidential nature of the subject information as set forth in the Company's October 23, 2017 Request. By this Amended and Supplemental Request, FCG is amending its request only as it relates to Exhibit DJN-14 to include certain information, which, although identified as confidential in the redacted and highlighted documents provided, was not specifically addressed within the Company's request. In addition, while the Company noted in its initial request that MFR Schedule H-1 is identical to Witness Nikolich's Exhibit DJN-14, the Company is supplementing

its request to make it clear that, to the extent that information in DJN-14 should be granted confidential classification, the same information as reflected in MFR Schedule H-1 should also be granted confidential classification. The Company incorporates and adopts in full its rationale and requests as set forth in the October 23 and October 26, 2017, requests. In further support of this amended and supplemental request, the Company states:

1. The confidential information contained in the Nikolich Exhibit includes the rates of natural gas charged to a contractual customer of FCG. FCG and the customer entered into a negotiated settlement that established the rate, and the settlement expressly provided for confidentiality of the rate. It also provided that disclosure of the rate could cause the Company to suffer damages and/or irreparable harm and could interfere with the Company's relationships with other customers or prospective customers. The Commission, after having reviewed the settlement agreement and noting that the "proposed rates ... are confidential," approved the settlement and did not disturb the express confidentiality provision in the settlement. *See In re: Petition for review and determination on the project construction and gas transportation agreement between NUI Utilities, Inc., d/b/a City Gas Company of Florida and Florida Crystals Corporation*, Docket No. 20160175-GU, Order No. PSC-2017-0296-FOF-GU (August 2, 2017). Consequently, the Commission accepted the confidentiality of the rates and presumably accepted the underlying harm to the Company that would occur if the rates were disclosed. Indeed, it is still true that, if publicly disclosed, such information could harm FCG by interfering with the Company's relationships with other customers or prospective customers. This information is entitled to confidential classification pursuant

to sec. 366.093(3)(d), Fla. Stat. This information is intended to be and is treated as confidential by FCG and to the best of FCG's knowledge has not been publicly disclosed.

2. The information in MFR Schedule H-1 is the same as the information included in Exhibit DJN-14 both in content and in format. For the same reasons that the information highlighted information in Exhibit DJN-14 should be granted confidential classification, so should the information in MFR Schedule H-1 be granted confidential classification.
3. Submitted as Exhibit A is a copy of MFR Schedule H-1, highlighted, consistent with Commission practice, to reflect the information for which confidential classification is requested. Highlighted and redacted versions of Exhibit DJN-14 were previously submitted on October 23, 2017. *See, cross-reference* Commission document no. 09065-2017. Exhibit A should be treated as confidential pending a ruling on this request. Attached as Exhibit B are two redacted copies of MFR Schedule H-1, which may be made available for public review and inspection. Attached as Exhibit C to this request is a line-by-line/field-by-field justification for the request for confidential classification.

WHEREFORE, FCG respectfully requests that:

1. The Commission enter an order granting confidential classification of the highlighted information in Exhibit DJN-14 consistent with the corrected line-by-line justification set forth in Exhibit C of this Request;
2. The Commission enter an Order protecting the information highlighted on Exhibit A (MFR Schedule H-1) from public disclosure as proprietary confidential information;
3. The Commission issue a protective order, in accordance with Rule 25-22.006(6), Florida Administrative Code, to protect this information when provided to the Office of Public Counsel; and

4. The Commission grant confidential classification for this information for a period of at least 18 months.

Respectfully submitted this 11th day of January, 2018, by:



Beth Keating, Esquire
Florida Bar No. 0022756
Gunster Law Firm
215 South Monroe Street
Suite 601
Tallahassee, FL 32301
Attorneys for Florida City Gas

CERTIFICATE OF SERVICE

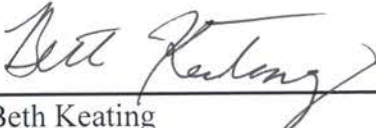
I hereby certify that a true and correct copy of the foregoing filing has been served by Hand Delivery, or Electronic Mail (w/o confidential attachments), this 11th day of January, 2018, upon the following:

Walter Trierweiler
Florida Public Service Commission General Counsel's Office
2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Virginia Ponder
Office of the Public Counsel c/o The Florida Legislature
111 West Madison St., Rm 812
Tallahassee, FL 32399-1400

A.J. Unsicker/L.L. Zieman/N.A. Cepak/R.K. Moore
c/o AFLOA/JACE-ULFSC
139 Barnes Drive, Suite 1
Tyndall AFB FL 32403
(850) 283-6347
andrew.unsicker@us.af.mil
ULFSC.Tyndall@US.AF.MIL
lanny.zieman.1@us.af.mil
natalie.cepak.2@us.af.mil
ryan.moore.5@us.af.mil
Andrew.Jernigan.3@us.af.mil
ebony.payton.ctr@us.af.mil

By: _____


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

ATTACHMENT A

Provided to the Commission Clerk
under separate cover as Confidential Information

ATTACHMENT B

FLORIDA PUBLIC SERVICE COMMISSION
 COMPANY: PIVOTAL UTILITY HOLDINGS, INC
 D/B/A FLORIDA CITY GAS
 DOCKET NO: 20170179-GU

EXPLANATION: FULLY ALLOCATED EMBEDDED COST
 OF SERVICE STUDY

TYPE OF DATA SHOWN:
 PROJECTED TEST YEAR: 12/31/2018

CALCULATION OF PROPOSED RATES
 SCHEDULE A

WITNESS: D. NIKOLICH

	SALES & TRANSPORTATION SERVICES:										GAS LIGHTING	NATURAL GAS VEHICLES	CONTRACT DEMAND	THIRD PARTY SUPPLIER	TOTAL SALES & TRANSPORTATION
	RS-1	RS-100	RS-600	GS-1	GS-6k	GS-25k	GS-120k	GS-1250k	GS-11M	GS-25M					
PROPOSED TOTAL TARGET REVENUES	\$ 7,210,626	\$ 18,807,784	\$ 550,722	\$ 7,041,468	\$ 11,981,069	\$ 7,088,431	\$ 12,514,667	\$ 3,932,041			\$ 74,237	\$ -	\$ 173,632	\$ 266,633	\$ 69,639,274
LESS: OTHER OPERATING REVENUE	\$ 740,118	\$ 1,564,482	\$ 29,664	\$ 266,912	\$ 334,748	\$ 178,092	\$ 38,002	\$ 9,895			\$ 131	\$ -	\$ 2,034	\$ -	\$ 3,164,078
Less: Proposed Customer Charge Revenues															
Proposed Customer charges: SALES & TRANSPORTATION	\$ 12.00	\$ 15.00	\$ 20.00	\$ 25.00	\$ 35.00	\$ 150.00	\$ 300.00	\$ 500.00	\$ 1,000.00	\$ 2,000.00		\$ 25.00	\$ 500.00	\$ 400.00	
TIMES: NUMBER OF BILLS: SALES & TRANSPORTATION	406,366	797,671	11,632	59,911	28,538	4,678	1,212	84	0	0	3,936	0	12	132	1,314,172
EQUALS: CUSTOMER CHARGE REVENUES	\$ 4,876,392	\$ 11,965,065	\$ 232,640	\$ 1,497,775	\$ 998,830	\$ 701,700	\$ 363,600	\$ 42,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 6,000	\$ 52,800	\$ 20,736,802
Less: Proposed Demand Charge Revenues															
Proposed demand charges: SALES & TRANSPORTATION	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5.75	\$ 5.75	\$ 5.75	\$ 5.75	\$ 0	\$ 0	\$ 0	\$ 6.07	
TIMES: DCQ: SALES & TRANSPORTATION							206,816	238,651						33,807	479,275
EQUALS: DEMAND CHARGE REVENUES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,189,194	\$ 1,372,244	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 205,167	\$ 2,766,606
EQUALS: PER-THERM TARGET REVENUES	\$ 1,594,116	\$ 5,278,237	\$ 288,418	\$ 5,276,781	\$ 10,647,491	\$ 6,208,639	\$ 10,923,870	\$ 2,507,901	\$ -	\$ -	\$ 74,105	\$ -	\$ 165,598	\$ 8,665	\$ 42,971,788
DIVIDED BY: NUMBER OF THERMS	2,886,825	12,240,769	767,899	12,382,178	28,127,107	17,386,101	34,439,382	15,613,100	-	-	38,033	-	5,492,320	-	129,373,714
EQUALS: PER-THERM RATES (Unrounded)	\$ 0.552204	\$ 0.431201	\$ 0.375594	\$ 0.426159	\$ 0.378549	\$ 0.357104	\$ 0.317191	\$ 0.160628	\$ 0.080000	\$ 0.040000	\$ 1.948461	\$ 0.426159		\$ -	
PER-THERM RATES (Rounded)	\$ 0.55220	\$ 0.43120	\$ 0.37559	\$ 0.42616	\$ 0.37855	\$ 0.35710	\$ 0.31719	\$ 0.16063	\$ 0.08000	\$ 0.04000	\$ 1.94846	\$ 0.42616		\$ -	
PER-THERM-RATE REVENUES (Rounded Rates)	\$ 1,594,105	\$ 5,278,219	\$ 288,415	\$ 5,276,789	\$ 10,647,516	\$ 6,208,577	\$ 10,923,828	\$ 2,507,932	\$ -	\$ -	\$ 74,105	\$ -	\$ 165,593	\$ -	\$ 42,965,080

SUMMARY: PROPOSED TARIFF RATES

CUSTOMER CHARGES	\$ 12.00	\$ 15.00	\$ 20.00	\$ 25.00	\$ 35.00	\$ 150.00	\$ 300.00	\$ 500.00	\$ 1,000.00	\$ 2,000.00	\$ -	\$ 25.00		\$ 400.00
DEMAND CHARGES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5.75	\$ 5.75	\$ 5.75	\$ 5.75	\$ -	\$ -		\$ 6.07
ENERGY CHARGES														
NON-GAS (CENTS PER THERM)	55.2204	43.1201	37.5594	42.6159	37.8549	35.7104	31.7191	16.0628	8.0000	4.0000	40.0000	42.6159		-
PURCHASED GAS ADJUSTMENT	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000		-
TOTAL (INCLUDING PGA)	109.2204	97.1201	91.5594	96.6159	91.8549	89.7104	85.7191	70.0628	62.0000	58.0000	94.0000	96.6159		-

SUMMARY: PRESENT TARIFF RATES

CUSTOMER CHARGES														
RESIDENTIAL	\$ 8.00	\$ 9.86	\$ 12.50											
COMMERCIAL AND INDUSTRIAL SALES				\$ 14.07	\$30.00	\$ 93.21	\$ 267.33	\$500.00				\$15.00		
DEMAND CHARGES NON-GAS (CENTS PER THERM)														
RESIDENTIAL														
COMMERCIAL AND INDUSTRIAL							28.9000	28.9000						
ENERGY CHARGES NON-GAS (CENTS PER THERM)														
RESIDENTIAL	56.2130	51.3242	39.8577								56.2130			
COMMERCIAL AND INDUSTRIAL				33.4308	27.4870	27.5660	21.4152	12.2250				23.2320		
PURCHASED GAS ADJUSTMENT	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	54.0000	
TOTAL (INCLUDING PGA)	110.2130	105.3242	93.8577								110.2130			
RESIDENTIAL														
COMMERCIAL AND INDUSTRIAL				87.4308	81.4870	81.5660	75.4152	66.2250	54.0000	54.0000		77.2320	56.3000	

SUMMARY: OTHER OPERATING REVENUE

	PRESENT REVENUE	PROPOSED REVENUE
CONNECTION CHARGE	\$50.00-\$110.00 \$695,821	\$50.00-\$200.00 \$ 1,121,632
COLLECTION IN LIEU OF DISCONNECT CHARGE	\$20.00 \$263,406	\$25.00-\$32.00 \$331,467
RECONNECT CHARGE	\$37.00-\$80.00 \$139,591	\$40.00-\$100.00 \$150,523
BAD CHECKS	\$25.00 \$37,766	\$25.00 \$37,775
LATE PAYMENT CHARGES	\$5.00 OR 1.5% \$1,107,835	\$5.00 OR 1.5% \$1,107,835
DAMAGE BILLING	\$192,297	\$192,297
CHANGE OF ACCOUNT		
METER READ		\$15.00-\$22.00 \$100,766
TEMPORARY DISCONNECT		\$35.00-\$45.00 \$103,562
FAILED TRIP		\$20.00 \$18,220
TOTAL	\$2,436,716	\$3,164,078

SUPPORTING SCHEDULES: E-2, E-3 p.1-6, H-1 p.3-4

RECAP SCHEDULES:

RECAP SCHEDULES:

ATTACHMENT C

Line-by-Line/Field-by-Field Justification

<u>Line(s)/Field(s)</u>	<u>Justification</u>
Exhibit DJN-14 to Direct Testimony of Daniel J. Nikolich, lines 24- 26, 31-36, 41 and 49, column 14 (“Contract Demand”)	This information is entitled to confidential classification pursuant to sec. 366.093(3)(d), Fla. Stat. The basis for this information being designated as confidential is more fully set forth in paragraph 1 of this Request.
MFR Schedule H-1, lines 24- 26, 31-36, 41 and 49, column 14 (“Contract Demand”)	This information is entitled to confidential classification pursuant to sec. 366.093(3)(d), Fla. Stat. The basis for this information being designated as confidential is more fully set forth in paragraph 2 of this Request.