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COMMISSION  
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March 16, 2018

**Hand Delivery**

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

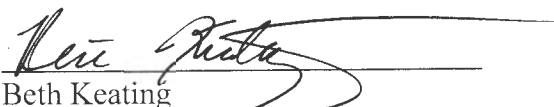
**Re: DOCKET NO. 20170179-GU - Petition for rate increase and approval of depreciation study by Florida City Gas.**

Dear Ms. Stauffer:

Enclosed for filing, please find the original and seven (7) copies of Florida City Gas's Request for Confidential Classification and Motion for Protective Order for certain information provided in response to Commission Staff's First Data Requests to the Company (No. 11). Also included with this filing are the referenced confidential documents on DVD.

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

cc:/ (Service List)

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for rate increase by Florida City Gas. | DOCKET NO. 20170179-GU

| DATED: March 16, 2018

**REQUEST FOR CONFIDENTIAL CLASSIFICATION  
AND MOTION FOR PROTECTIVE ORDER**

FLORIDA CITY GAS (FCG or the Company), by and through undersigned counsel pursuant to Rule 25-22.006, Fla. Admin. Code, requests that the Florida Public Service Commission (the Commission) enter an order protecting from public disclosure certain portions of FCG's responses to Commission Staff's First Data Requests to the Company, namely certain correspondence provided in response to Data Request No. 11. The information contained in the confidential attachments is similar to information provided by the Company on January 8, 2018, in response to Citizens' Sixth Requests for Production of Document, Citizens' Sixth Set of Interrogatories (No. 157a), for which the Company has also requested confidential classification. In support of this request, the Company states:

1. On October 23, 2017, FCG filed its Petition for Rate Increase, and *inter alia* the prefiled direct testimony and supporting exhibits of its witnesses and Minimum Filing Requirements.
2. On March 12, 2018, the Parties to this proceeding filed a Stipulation and Settlement in this proceeding. Thereafter, on March 14, 2018, the Staff of the Commission served the Company with data requests regarding the Settlement and Stipulation. Certain information provided in response to Data Request No. 11 includes material and information that FCG and shippers on its system treat as highly confidential, which has

not otherwise been publicly disclosed. Given the nature of the documents provided, the Company considers entire documents to be confidential, the disclosure of which would cause harm to FCG and its customers.

3. The information for which FCG seeks confidential classification is information 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.

4. Specifically, FCG seeks confidential classification of information and documents that constitute Market Analysis and Competitively sensitive information of Shippers/Marketers on FCG’s system. These documents contain detailed information regarding marketer-specific market share information, which the respective marketers, as well as the Company, consider to be proprietary confidential business information that is strictly protected. This information should be classified as proprietary confidential business information, consistent with Section 366.093(3)(e), F.S., because its disclosure would impair

the individual marketers' competitive interests by providing information that would provide other companies with an unfair advantage in efforts to "cherry pick" high-volume customers, which could ultimately drive up rates for the marketers' customers, who are also transportation customers on FCG's ratepayers. Because redaction of the confidential information would, for all intents, result in blank pages, the Company is requesting that these files be granted confidential classification in their entirety.

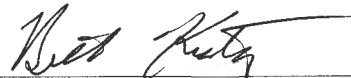
5. Release of any of this information would ultimately impair the Company's ability to provide services and its ratepayers.
6. Submitted herewith, in substantial compliance with Rule 25-22.006, Florida Administrative Code, is a DVD containing the confidential email provided in response to Data Request No. 11, with the files clearly identified as confidential. Given the nature of the documents, highlighting is, in most instances, not feasible, nor is redaction, which would simply result in a blank file.
7. FCG further requests that 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, which is a party to this proceeding.

**WHEREFORE**, FCG respectfully requests that:

1. The Commission enter an order protecting the information in the following files, in its entirety, from public disclosure as proprietary confidential business information the confidential email files and related attachments included on CD in response to Staff Data Request No. 11;

2. 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
3. The Commission grant confidential classification for this information for a period of at least 18 months.

Respectfully submitted this 16th day of March, 2018, by:



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Beth Keating, Esquire  
Florida Bar No. 0022756  
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*Attorneys for Florida City Gas*

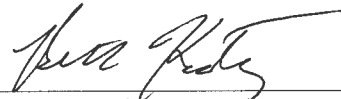
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing filing has been served by Hand Delivery and/or Electronic mail (redacted only) this 16th day of March, 2018, upon the following:

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Florida Public Service Commission  
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Virginia Ponder  
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c/o The Florida Legislature  
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Tallahassee, FL 32399-1400

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<sup>1</sup> Redacted only