

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for Seminole combined cycle facility, by Seminole Electric Cooperative, Inc.

DOCKET NO. 20170266-EC

In re: Joint Petition to determine need for the Shady Hills combined cycle facility, by Seminole Electric Cooperative, Inc. and Shady Hills Energy Center, LLC.

DOCKET NO. 20170267-EC

DATED: MARCH 16, 2018

RECEIVED-FPSC  
2018 MAR 16 PM 4:40  
COMMISSION CLERK

**SEMINOLE ELECTRIC COOPERATIVE'S SEVENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Seminole Electric Cooperative, Inc. ("Seminole") pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Seventh Request for Confidential Classification of certain information requested by the Staff of the Florida Public Service Commission ("Staff").

1. On January 29, 2018, Seminole provided its responses to Staff's First Request for Production of Documents (Nos. 1-19).
2. On February 16, 2018, Seminole filed its Second Request for Confidential Classification seeking confidential treatment for, among other things, documents responsive to Staff Request Nos. 11 and 13 including the documents titled:

- a. 170266-Staff's 1<sup>st</sup> POD No. 11-Base Total Energy Model
- b. 170266-Staff's 1<sup>st</sup> POD No. 11- High Total Energy Model
- c. 170266-Staff's 1<sup>st</sup> POD No. 11- Low Total Energy Model
- d. 170266-Staff's 1<sup>st</sup> POD No. 13- Base Winter Peak Demand Model
- e. 170266-Staff's 1<sup>st</sup> POD No. 13-High Winter Peak Demand Model
- f. 170266-Staff's 1<sup>st</sup> POD No. 13- Low Winter Peak Demand Model

COM \_\_\_\_\_  
 AFD \_\_\_\_\_  
 APA \_\_\_\_\_  
 ECO \_\_\_\_\_  
 ENG 1 CD Redacted  
 GCL \_\_\_\_\_  
 IDM \_\_\_\_\_  
 CLK \_\_\_\_\_

3. On February 28, 2018, Seminole filed a Notice of Withdrawal for the Second Request for Confidential Classification, withdrawing its claim of confidentiality for these documents.

4. On February 28, 2018 Seminole produced the documents listed in Paragraph 2 to Staff. By doing so, Seminole inadvertently provided Staff with confidential wholesale pricing information contained in those documents without first requesting confidential classification.

5. On March 9, 2018, Seminole provided responses to Staff's Third Request for Production of Documents (Nos. 21-22). One of the documents produced in response to Request No. 21, entitled "170266-Staff's 3rd PODs No. 21 - Itron - SECI Prices LFS17," contains confidential wholesale pricing information. Seminole inadvertently provided this information without first requesting confidentiality for it.

6. The following exhibits are included with this request:

(a) Exhibit A is a package containing redacted versions of the documents for which Seminole requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(b) Exhibit B is a package containing un-redacted copies of the documents for which Seminole seeks confidential treatment. Exhibit B is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the un-redacted version, the information asserted to be confidential is highlighted in yellow.

7. Disclosure of this information would give Seminole's competitors in the wholesale market a competitive advantage because their pricing would not be set by market forces. Instead, those competitors could use their knowledge to bid a price directly below Seminole's wholesale rate. Accordingly, this pricing constitutes

“[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.” §366.093(3)(e), Fla. Stat.

8. Attachment 1 to this Request is a matrix identifying specific information within the documents identified in Paragraphs 2 and 6 which are considered confidential, along with the specific statutory justification for seeking confidential classification.

9. The information for which Seminole seeks confidential treatment is intended to be and is treated as confidential by Seminole. Except for prior inadvertent disclosure, this information has not been disclosed to the public.

10. Seminole requests that the information identified above be classified as “proprietary confidential business information” within the meaning of section 366.093(3), F.S., that the information remain confidential for a period of at least 18 months as provided in section 366.093(4), F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, Seminole Electric Cooperative, Inc. respectfully requests that this Seventh Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 16th day of March, 2018.

HOPPING GREEN & SAMS, P.A.

By: /s/ Gary V. Perko  
Gary V. Perko (FBN 855898)  
[gperko@hgslaw.com](mailto:gperko@hgslaw.com)  
Brooke E. Lewis (FBN 0710881)  
[blewis@hgslaw.com](mailto:blewis@hgslaw.com)  
Malcolm N. Means (FBN 0127586)  
[mmeans@hgslaw.com](mailto:mmeans@hgslaw.com)  
Post Office Box 6526  
Tallahassee, Florida 32314  
(850) 222-7500  
(850) 224-8551 (fax)

Attorneys for SEMINOLE ELECTRIC COOPERATIVE, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Request for Confidential  
Classification was served upon the following by hand delivery on this 16th day of  
March, 2018:

Lee Eng Tan, Esquire  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

/s/ Gary V. Perko  
Attorney

**ATTACHMENT 1**

**JUSTIFICATION FOR CONFIDENTIAL CLASSIFICATION**

<b>Document</b>	<b>Page(s) or Tab</b>	<b>Column</b>	<b>Lines</b>	<b>Description</b>	<b>Statutory Justification</b>
170266- Staff's 1st POD No. 11-Base Total Energy Model	Energy Input Data	Price	4-15,528	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price Increase	4-15,528	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price Decrease	4-15,528	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price 2016	4-15,528	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
170266- Staff's 1st POD No. 11-High Total Energy Model	High Total Energy Model Input Data	Price	4-5,178	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price Increase	4-5,178	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price Decrease	4-5,178	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price 2016	4-5,178	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
170266- Staff's 1st POD No. 11-Low Total Energy Model	Low Total Energy Input Data	Price	4-5,178	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price Increase	4-5,178	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price Decrease	4-5,178	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price 2016	4-5,178	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
170266-Staff's 1 <sup>st</sup> POD No. 13- Base Winter Peak Demand Model	WDemand Input Data	Price	4-435	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price 2016	4-435	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
170266-Staff's 1 <sup>st</sup> POD No. 13- Base Winter Peak Demand Model	High WDemand Input Data	Price	4-435	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price 2016	4-435	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
170266-Staff's 1 <sup>st</sup> POD No. 13- Base Winter Peak Demand Model	Low WDemand Input Data	Price	4-435	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Real Price 2016	4-435	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
170266-Staff's 3rd PODs No. 21 - Itron - SECI Prices LFS17	All	Actual Price	3-578	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
		Price 3yrMA	3-578	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.