

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 15, 2018

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**SEMINOLE ELECTRIC COOPERATIVE, INC.'S
EIGHTH 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 Eighth Request for Confidential Classification of certain portions of the Deposition of Michael Ward, taken on March 9, 2018.

1. On March 9, 2018, Intervenors took the deposition of Michael P. Ward, Vice President of Strategic Initiatives for Seminole Electric Cooperative, Inc.

2. On March 12, 2018, Quantum Pasco Power, L.P., Michael Tulk, and Patrick Daly ("Intervenors") filed a "Notice of Intent to Introduce Portions of Deposition [of Michael Ward] Into Hearing Record." See DN 02262-2018.

3. Portions of the transcript of the Deposition of Michael Ward (the "Transcript") and the exhibits to the deposition (the "Exhibits") contain confidential information. As a result, Seminole now respectfully requests that these portions of the Transcript and Exhibits be granted confidential status.

4. The following exhibits are included with this request:

COM _____
AFD _____
APA _____
ECO _____
ENG 1 CP
GCL redacted
IDM _____
CLK _____

(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.

5. Portions of the Transcript contain confidential information. Specifically:

a. Pages 38, 39, 60, 63 and 64 of the Transcript contain references to Seminole's wholesale pricing. Seminole provides wholesale power to its Member Cooperatives. Disclosure would give Seminole's competitors a competitive advantage because their pricing would not be set by market forces. Instead, those competitors could underbid Seminole in the wholesale power market.

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.

b. Pages 85 and 86 of the Transcript contain references to the estimated cost savings associated with removing one of the Seminole Generating Station coal-fired units from service. The Commission previously granted confidential classification of this figure as included in an exhibit to the filed

testimony of Alan S. Taylor, labeled as AST-1, Document 2. *See* PSC 2018-0093-CFO-EC.

c. Pages 92 through 95 of the Transcript contain references to the replacement cost of the Seminole Generating Station coal units. Potential counterparties could use this information to calculate the price minimum price required to undercut the cost of power provided by the SGS coal units, instead of offering bids based on market forces. The disclosure of this information would accordingly impair the efforts of Seminole to contract for goods or services on favorable terms. *See* Section 366.093(3)(d), Fla. Stat.

6. Exhibit 3 from the Deposition of Michael Ward contains confidential information related to natural gas transportation costs. Disclosure of this information could impair Seminole's ability to obtain favorable rates for natural gas transportation in the future, and could negatively impact Seminole's ability to contract for power on favorable terms since other parties would know Seminole's gas transportation costs. Disclosure would accordingly impair the efforts of Seminole to contract for goods or services on favorable terms. *See* Section 366.093(3)(d), Fla. Stat.

7. Exhibit 4 from the Deposition of Michael Ward contains confidential information related to Seminole's outstanding debt obligations. Disclosure of this information would provide potential wholesale power providers information concerning the cost basis for Seminole's generating units that could enable such providers to adjust their pricing to Seminole's disadvantage if Seminole were to go to

market for replacement power. The disclosure of this information would accordingly impair the efforts of Seminole to contract for goods or services on favorable terms. *See* Section 366.093(3)(d), Fla. Stat.

8. Attachment 1 to this Request is a matrix identifying specific information within the Transcript and Exhibits 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. With the exception of certain inadvertently disclosed wholesale pricing information, which is identified in Paragraph 5.a above, this information has not been disclosed to the public.¹

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 Eighth Request for Confidential Classification be granted.

¹ See Seminole’s Seventh Request for Confidential Classification.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via electronic mail to the following on the 16th day of March, 2018:

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ATTACHMENT 1

JUSTIFICATION FOR CONFIDENTIAL CLASSIFICATION

Document	Page	Lines	Description	Statutory Justification
Deposition of Michael Ward	38	2-4	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
	39	16	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
	60	10, 14-15	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
	63	2, 9	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
	64	1, 6, 8, 12, 18	Seminole Wholesale Pricing	§366.093(3)(e), Fla. Stat.
	85	20	Cost Savings-Removal of SGS Unit from Service	§366.093(3)(e), Fla. Stat.
	86	2	Cost Savings-Removal of SGS Coal Unit from Service	§366.093(3)(e), Fla. Stat.
	92	13	Replacement Value-SGS Coal Units	§366.093(3)(d), Fla. Stat.
	93	17	Replacement Value-SGS Coal Units	§366.093(3)(d), Fla. Stat.
	94	3, 23-24	Replacement Value-SGS Coal Units	§366.093(3)(d), Fla. Stat.
95	6	Replacement Value-SGS Coal Units	§366.093(3)(d), Fla. Stat.	

Document	Page(s) or Tab	Column	Lines	Description	Statutory Justification
Exhibit 3- Deposition of Michael Ward	All	NG Transportation	All	Cost of Natural Gas Transportation	§366.093(3)(d), Fla. Stat.
Exhibit 4- Deposition of Michael Ward	Attachment 38(e)	FFB N8-1	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		FFB N8-2	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		FFB R8	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		FFB S8	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		FFB U8	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		2005 A	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		2005 B	All	Debt Obligations	§366.093(3)(d), Fla. Stat.

					Fla. Stat.
		2005 C	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		2007 A&B PCRRBs	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		CFC Term Loan	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
	Attachment 38(a)-(d)	FFB N8-1	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		FFB N8-2	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		FFB R8	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		FFB S8	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
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		2005 C	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		2007 A&B PCRRBs	All	Debt Obligations	§366.093(3)(d), Fla. Stat.
		CFC Term Loan	All	Debt Obligations	§366.093(3)(d), Fla. Stat.