

**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 for determination of need for Shady Hills combined cycle facility in Pasco County, by Seminole Electric Cooperative, Inc. and Shady Hills Energy Center, LLC. )  
 ) DOCKET No. 20170267-EC  
 ) FILED: April 13, 2018  
 )

**REDACTED**

**INTERVENORS' FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Intervenors, Quantum Pasco Power, L.P. ("Quantum"), Michael Tulk, and Patrick Daly (collectively, "Intervenors"), by and through undersigned counsel and, pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby request Confidential Classification of Hearing Exhibit No. 115 (the "Confidential Document"), introduced by Intervenors at the evidentiary hearing that concluded on March 22, 2018 in this consolidated docket.

1. On March 23, 2018, Intervenors filed a Notice of Intent to Request Confidential Classification related to the Confidential Document. The Confidential Document is contained on an attached DVD. Accordingly, pursuant to Rule 25-22.006(3), F.A.C., this request is timely.

2. The following exhibits are included and made a part of this request:

- COM \_\_\_\_\_
- AFD \_\_\_\_\_
- APA \_\_\_\_\_
- ECO \_\_\_\_\_
- ENG   /
- GCL \_\_\_\_\_
- IDM \_\_\_\_\_
- CLK \_\_\_\_\_

a. Exhibit A is a DVD containing the Confidential Document. A printed copy of the Confidential Document is also being submitted separately in a

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COMMISSION  
CLERK

sealed envelope marked "CONFIDENTIAL."

- b. Exhibit B consists of two fully redacted versions of the Confidential Document.
- c. Exhibit C is a table that identifies the specific statutory bases for the claim of confidentiality and the affiant who supports the requested classification.
- d. Exhibit D is the affidavit of James Maiz in support of the requested classification.

3. Section 366.093(1), F.S., provides that "Upon request of the public utility or other person, any records received by the Commission which are shown to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1)." Section 366.093(3), F.S., defines proprietary confidential business information to mean information that is (i) intended to be and is treated as private confidential information by the company, (ii) because disclosure of the information would cause harm, (iii) to the company's business operation, and (iv) the information has not been voluntarily disclosed to the public. Additionally, section 366.093(3)(e) defines "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information" as proprietary confidential business information.

4. Intervenors are requesting confidential classification of the Confidential Document because the Confidential Document contains competitive pricing information and other competitively sensitive commercial information that was submitted to Seminole Electric Cooperative, Inc. in response to a request for proposals, the disclosure of which would harm or otherwise adversely impact Quantum's competitive business interests. Quantum has treated the Confidential Document as confidential and Quantum has not voluntarily disclosed the Confidential Document to the public.

5. Upon a finding by the Commission that the material in Exhibit A for which Intervenors seek confidential treatment is proprietary confidential business information within the meaning of Section 366.093(3), F.S., such information should not be declassified for a period of at least eighteen (18) months. Additionally, the material provided should be returned to Quantum as soon as the information is no longer necessary for the Commission to conduct its business, pursuant to Section 366.093(4), F.S.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavit included herewith, Intervenors respectfully request that their Request for Confidential Classification be granted.

Respectfully submitted this 13th day of April 2018.



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Robert Scheffel Wright  
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John T. LaVia, III  
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Gardner, Bist, Bowden, Bush,  
Dee, LaVia & Wright, P.A.

1300 Thomaswood Drive  
Tallahassee, Florida 32308  
Telephone (850) 385-0070  
Facsimile (850) 385-5416

Attorneys for Intervenors

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following by electronic mail on this 13th day of April 2018.

Rachael Dziechciarz (rdziehc@psc.state.fl.us)  
Stephanie Cuello (scuello@psc.state.fl.us)  
Florida Public Service Commission  
Office of the General Counsel  
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Tallahassee, Florida 32390

Gary V. Perko (gperko@hgslaw.com)  
Brooke E. Lewis (blewis@hgslaw.com)  
Malcolm N. Means (mmeans@hgslaw.com)  
Hopping Law Firm  
P.O. Box 6526  
Tallahassee, Florida 32314

David Ferrentino (Dferrentino@seminole-electric.com)  
Seminole Electric Cooperative, Inc.  
16313 North Dale Mabry Highway  
Tampa, Florida 33618

Trudy Novak (tnovak@seminole-electric.com)  
Seminole Electric Cooperative, Inc.  
P.O. Box 272000  
Tampa, Florida 33688

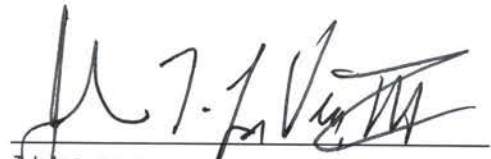
  
\_\_\_\_\_  
Attorney

EXHIBIT B

**CONFIDENTIAL**

EXHIBIT NO. 115

DOCKET NO: 20170266-EC/20170267-EC

WITNESS: PETERS / TAYLOR / DIAZGRANADOS

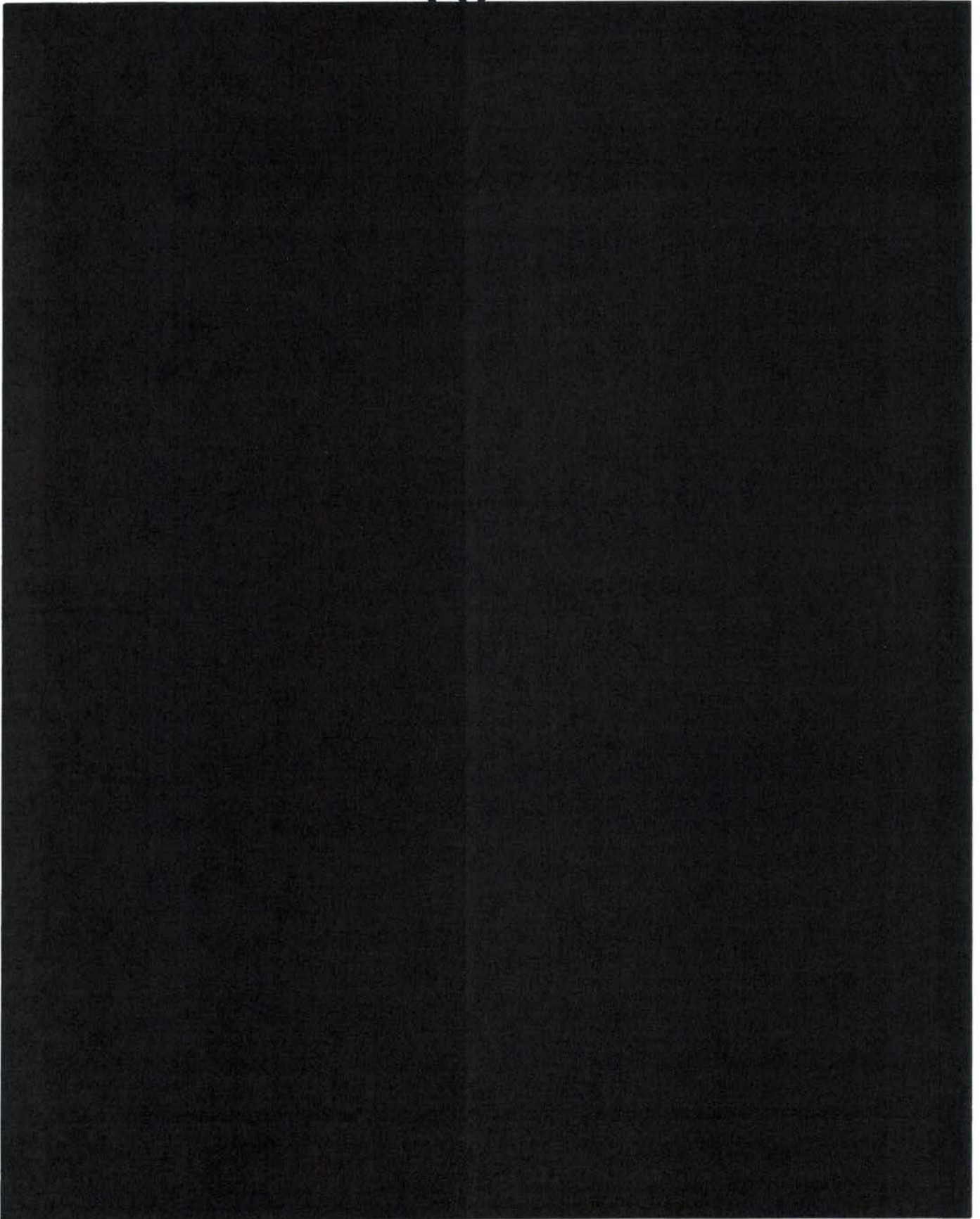
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DESCRIPTION: QUANTUM PASCO'S UPDATED PROPOSAL, DATED 10-11-2016

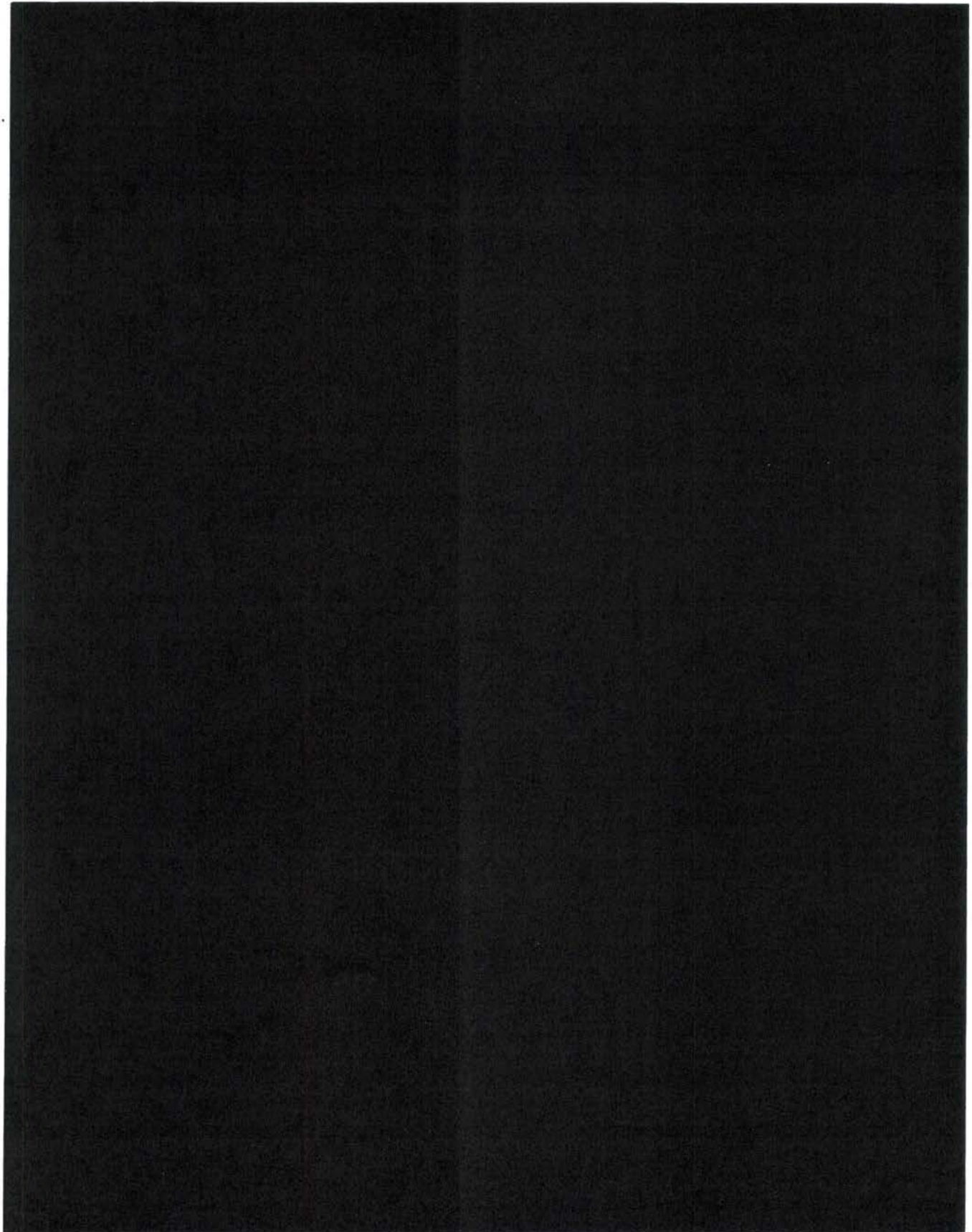
DOCUMENTS: QUANTUM'S RESPONSE TO SEMINOLE ELECTRIC COOPERATIVE'S MARCH 1, 2016 REQUEST FOR PROPOSALS ("RFP") REQUEST FOR FIRM CAPACITY, RFP NO. FC 2021 - SUPPLEMENTAL INFORMATION PRICING UPDATE

PROFFERED BY: INTERVENORS (MICHAEL TULK, PATRICK DALY & QUANTUM PASCO POWER, L.P.)

EXHIBIT B  
COMPETITIVELY SENSITIVE CONFIDENTIAL INFORMATION

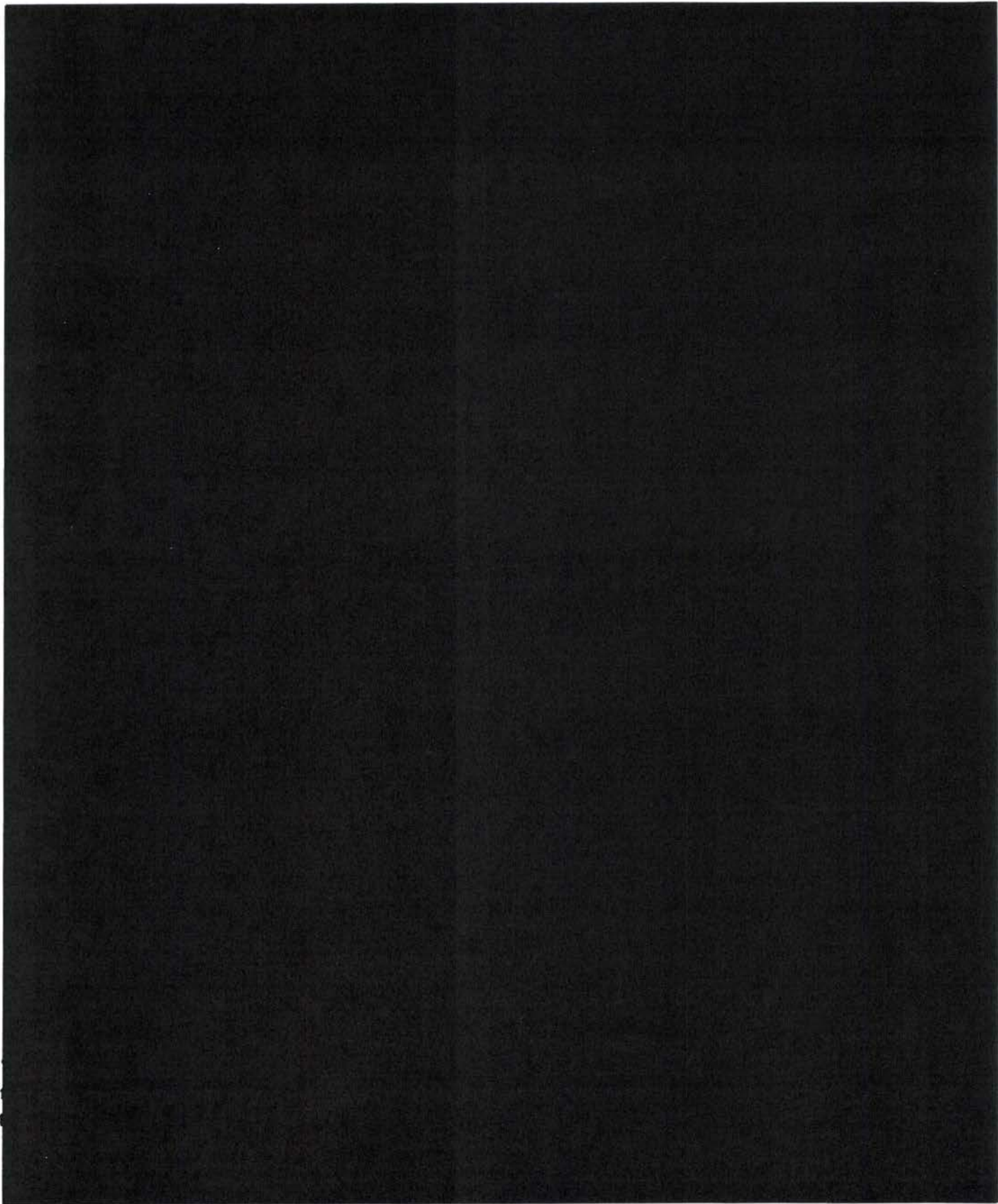


**EXHIBIT B**  
**COMPETITIVELY SENSITIVE CONFIDENTIAL INFORMATION**

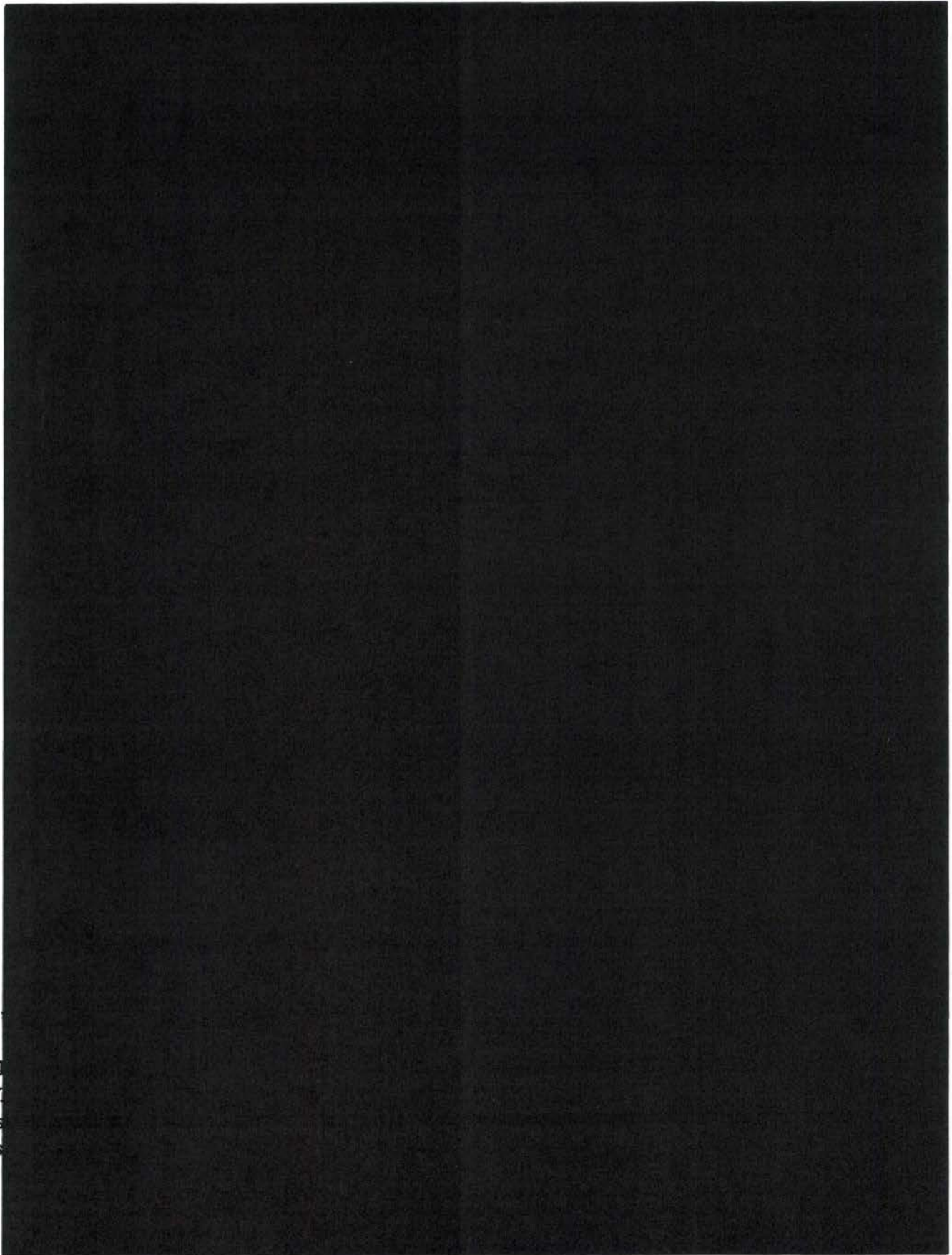




**EXHIBIT B**  
**COMPETITIVELY SENSITIVE CONFIDENTIAL INFORMATION**



**EXHIBIT B**  
**COMPETITIVELY SENSITIVE CONFIDENTIAL INFORMATION**



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**COMPETITIVELY SENSITIVE CONFIDENTIAL INFORMATION**

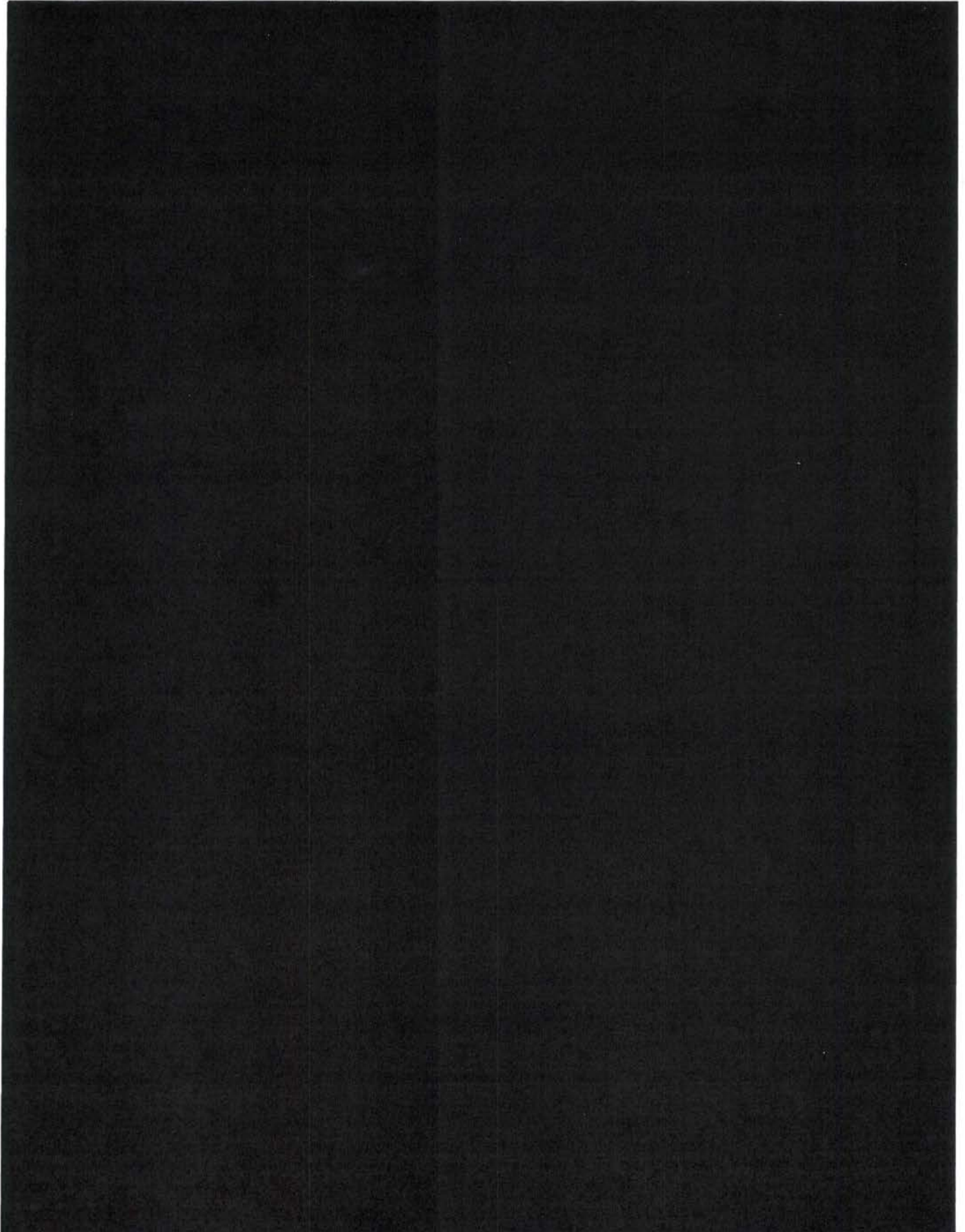
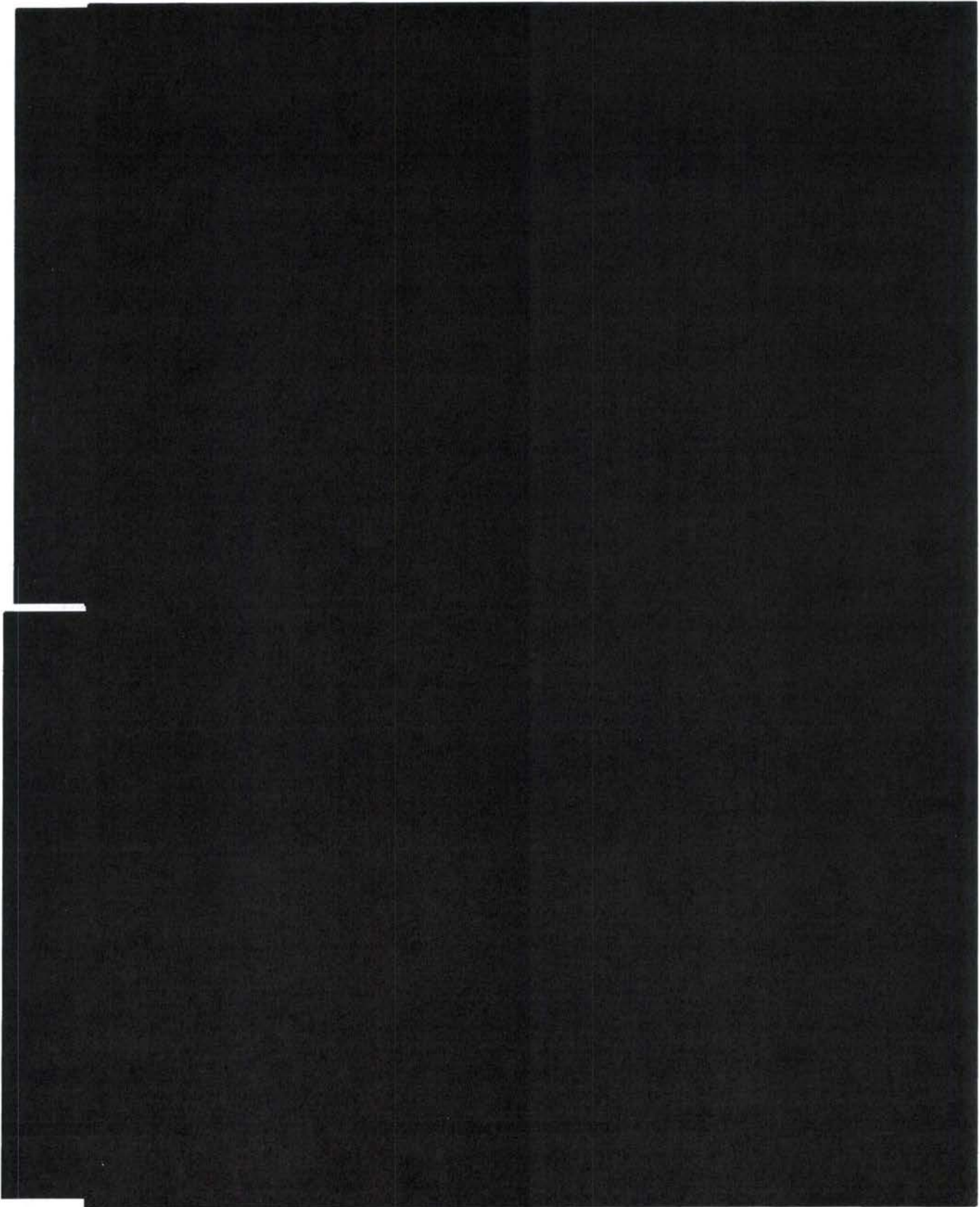
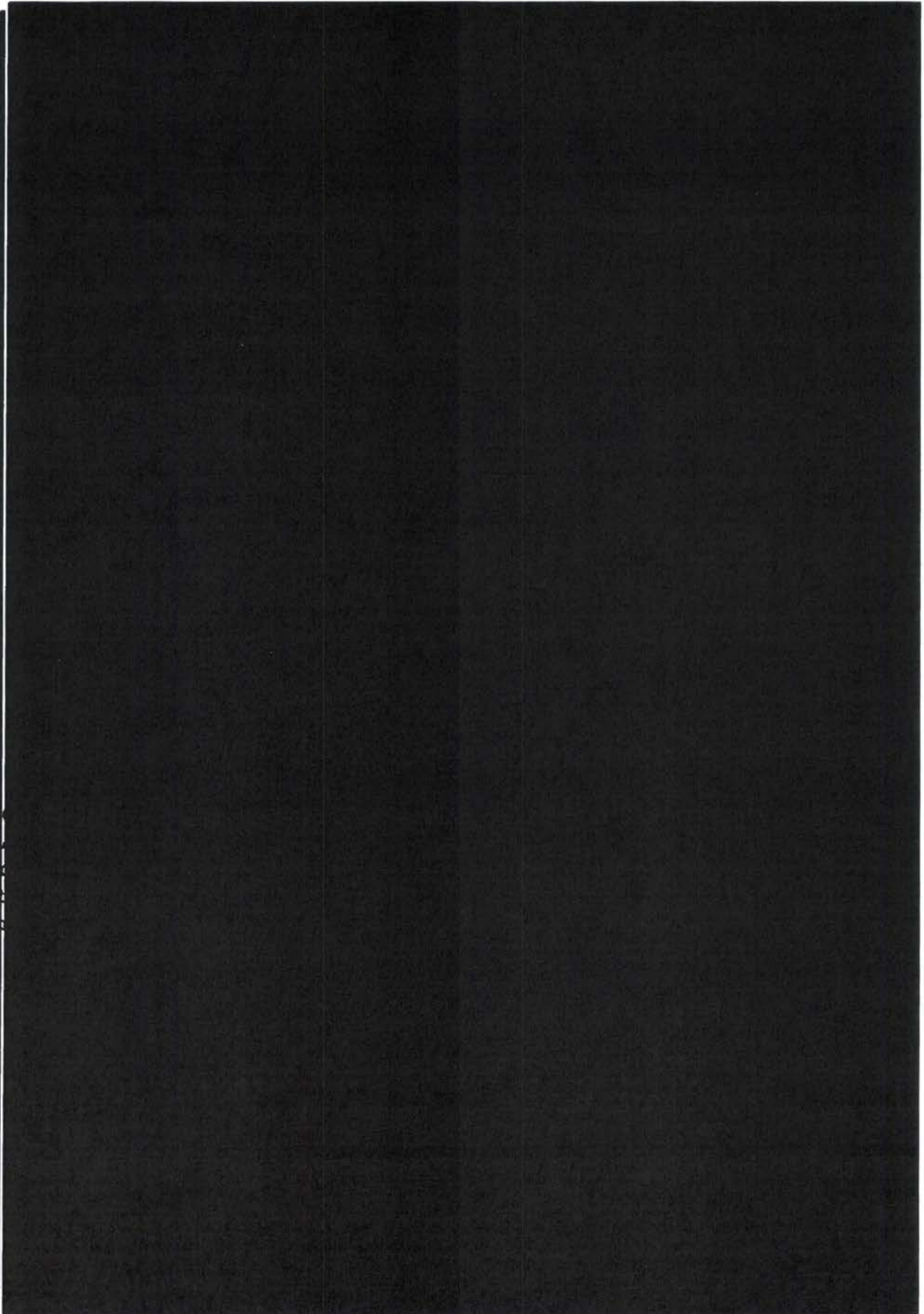


EXHIBIT B  
COMPETITIVELY SENSITIVE CONFIDENTIAL INFORMATION



**EXHIBIT B**  
**COMPETITIVELY SENSITIVE CONFIDENTIAL INFORMATION**



**EXHIBIT C**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition to determine need for )  
Seminole combined cycle facility, by ) DOCKET NO. 20170266-EC  
Seminole Electric Cooperative, Inc. )  
)  
In re: Joint petition for determination )  
of need for Shady Hills combined cycle ) DOCKET No. 20170267-EC  
facility in Pasco County, by Seminole )  
Electric Cooperative, Inc. and Shady ) FILED: April 13, 2018  
Hills Energy Center, LLC. )  
\_\_\_\_\_ )

<u>Document</u>	<u>Pages</u>	<u>Justification</u>
Hearing Exhibit 115	All	§ 366.093(3)(e), Fla. Stat.

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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Electric Cooperative, Inc. and Shady ) FILED: April 13, 2018  
Hills Energy Center, LLC. )  
)  
\_\_\_\_\_ )

AFFIDAVIT OF JAMES MAIZ IN SUPPORT OF  
INTERVENORS' FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION

STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared James Maiz, who being first duly sworn, on oath deposes and says that:

1. My name is James Maiz. I am over the age of 18 years old and I have been authorized by Quantum Pasco Power, Limited Partnership ("Quantum") to give this affidavit in the above-styled proceeding on Quantum's behalf and in support of Intervenors' First Request for Confidential Classification. I have personal knowledge of the matters stated in this affidavit.

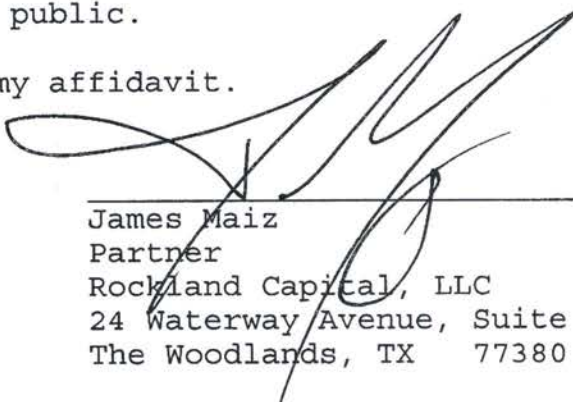
2. I am a Partner at Rockland Capital, LLC which (1) is the parent of Quantum and (2) owns and maintains Hearing Exhibit No. 115 ("Quantum Pasco's updated Proposal Dated 10-11-2016"). My business address is 24 Waterway Avenue, Suite 800, The Woodlands, Texas 77380. I am responsible for legal, corporate governance, and corporate records matters for Quantum and Rockland Capital.

3. Quantum is seeking confidential classification for Hearing Exhibit No. 115, as more specifically identified in Exhibits A and C of Intervenors' First Request for Confidential Classification.

4. Quantum is requesting confidential classification of this information because it is competitively sensitive confidential business information, in that it contains competitive pricing information and other competitively sensitive commercial information that was submitted to Seminole Electric Cooperative, Inc. in response to a request for proposals. The disclosure of this information to third parties would adversely impact Quantum's and/or its affiliates' competitive business interests and otherwise harm Quantum and/or its affiliates.

5. The information identified in Exhibit A and Exhibit C is intended to be and is treated as confidential by Quantum and has not been disclosed to the public.

6. This concludes my affidavit.



---

James Maiz  
Partner  
Rockland Capital, LLC  
24 Waterway Avenue, Suite 800  
The Woodlands, TX 77380



SWORN TO AND SUBSCRIBED before me this 13<sup>TH</sup> day of APRIL,  
2018, by JAMES MAIZ, who is personally known to me or who has  
produced \_\_\_\_\_ (type of identification) as  
identification and who did take an oath.

Kristin Carol Warnke  
Notary Public, State of Texas

My Commission Expires: April 27, 2020

