



(850) 850-521-1713  
gmunson@gunster.com

August 22, 2022

**E-PORTAL FILING**

Mr. Adam Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re:**

DOCKET NO. 20220067-GU

In re: Petition for rate increase by Florida Public Utilities Company, Florida Division of Chesapeake Utilities Corporation, Florida Public Utilities Company - Fort Meade, and Florida Public Utilities Company - Indiantown Division.

Dear Mr. Teitzman:

Attached, for electronic filing in the above referenced docket, please find the **Florida Public Utilities Company's Request for Confidential Classification and Motion for Protective Order.**

Should you have any questions whatsoever, please do not hesitate to contact me. Thank you for your assistance in this matter.

A handwritten signature in black ink, appearing to read 'G. Munson'.

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Greg Munson  
Florida Bar No. 188344  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe St., Suite 601  
Tallahassee, FL 32301  
(850) 521-1713

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida Public Utilities Company, Florida Division of Chesapeake Utilities Corporation, Florida Public Utilities Company - Fort Meade, and Florida Public Utilities Company - Indiantown Division.

DOCKET NO. 20220067-GU

DATED: August 22, 2022

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

Florida Public Utilities Company (“FPUC” or “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 FPUC’s Responses to Staff’s Second Request for Production of Documents (Nos. 3-10). In support of this request, the Company states:

1. On May 24, 2022, FPUC, including all of its natural gas division and the Florida Division of Chesapeake Utilities Corporation (herein, jointly, FPUC) filed its Petition for Rate Adjustment, Approval of Depreciation Study, Approval of Consolidated Rate Structure and Request for Interim Relief (hereafter, “Petition”), and *inter alia* the prefiled direct testimony and supporting exhibits of its witnesses and Minimum Filing Requirements.
2. On July 27, 2022, Staff to the Public Service Commission, served FPUC with its Second Request for Production of Documents (Nos. 3-10).
3. Documents responsive to Staff’s Second Request for Production of Documents numbers 3 and 10 contain material and information that FPUC and its affiliates, as well as the parent company, Chesapeake Utilities Corporation, 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 FPUC and its customers.

3. The information for which FPUC 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, FPUC seeks confidential classification of information and documents that contain competitively sensitive, customer-specific consumption information.

5. With regard to ten files containing the file name “Staff POD 02-03 CONFIDENTIAL Attachment X.X” where X.X is 1.1 through 1.10, provided in response to Requests 3 and 10, these documents contain the names of customers and volume used for these customers from 2012 (in attachment 1.1) through 2021 (in attachment 1.10).

6. Disclosure of this information publicly would harm FPUC's business relationship with these customers and would enable competitive energy suppliers to pursue these customers. Were such customers to leave FPUC's system, the impact would be detrimental to both the company and its ratepayers, as loss of these customers reduces the Company's ability to spread costs over a broader customer base. Such information should be deemed "proprietary confidential business information," consistent with Section 366.093(3)(d)-(e), Fla. Stat., in that public disclosure would reveal competitively-sensitive financial and strategic information regarding FPUC contracts, as well as customer-specific information that would enable other suppliers an unfair advantage in competing for customers, impairing the competitive business of FPUC. Because the information is embedded within the cells of extensive spreadsheets, and due to the interlocking nature of the spreadsheets in which the information is recorded, redaction of the confidential information is not feasible and any attempt do so would be unduly burdensome. Consequently, the Company requests that the Commission afford this information confidential treatment and exempt from Section 119.07, Fla. Stat.
7. Release of any of this information would ultimately impair the Company's ability to provide services and its ratepayers.
8. Submitted herewith, in substantial compliance with Rule 25-22.006, Florida Administrative Code, is a flash drive containing the confidential files clearly identified as confidential. Given the electronic nature of the documents, highlighting is, in most instances, not feasible, nor is redaction, as explained above.

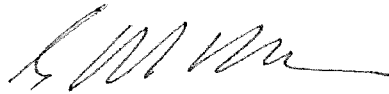
9. FPUC further requests that the Commission issue a protective order, in accordance with Rule 25-22.006(6), Florida Administrative Code, to protect this information when provided to the Office of Public Counsel, which is a party to this proceeding.

**WHEREFORE**, FPUC 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:
  - a. Staff POD 02-03 CONFIDENTIAL Attachment 1.1
  - b. Staff POD 02-03 CONFIDENTIAL Attachment 1.2
  - c. Staff POD 02-03 CONFIDENTIAL Attachment 1.3
  - d. Staff POD 02-03 CONFIDENTIAL Attachment 1.4
  - e. Staff POD 02-03 CONFIDENTIAL Attachment 1.5
  - f. Staff POD 02-03 CONFIDENTIAL Attachment 1.6
  - g. Staff POD 02-03 CONFIDENTIAL Attachment 1.7
  - h. Staff POD 02-03 CONFIDENTIAL Attachment 1.8
  - i. Staff POD 02-03 CONFIDENTIAL Attachment 1.9
  - j. Staff POD 02-03 CONFIDENTIAL Attachment 1.10
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.

Docket No. 20220067-GU  
*Florida Public Utilities Company*

Respectfully submitted this 22nd day of August, 2022, by:



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Gregory M. Munson, Esquire  
Florida Bar No. 188344  
Gunster Law Firm  
215 South Monroe Street  
Suite 601  
Tallahassee, FL 32301  
*Attorneys for Florida Public Utilities  
Company*


**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 (*request only*) and Electronic Mail this 22<sup>nd</sup> day of August, 2022, upon the following:

Richard Gentry  
P. Christensen  
Office of the Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street, Room 812  
Tallahassee, FL 32399-1400  
[Gentry.Richard@leg.state.fl.us](mailto:Gentry.Richard@leg.state.fl.us)  
[Christensen.patty@leg.state.fl.us](mailto:Christensen.patty@leg.state.fl.us)

Mike Cassel  
Florida Public Utilities Company  
208 Wildlight Ave.  
Yulee, FL 32097  
[mcassel@fpuc.com](mailto:mcassel@fpuc.com)

Jennifer Crawford, Esq.  
Ryan Sandy, Esq.  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
[jcrawfor@psc.state.fl.us](mailto:jcrawfor@psc.state.fl.us)  
[rsandy@psc.state.fl.us](mailto:rsandy@psc.state.fl.us)

By:   
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Greg Munson  
Beth Keating  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe St., Suite 601  
Tallahassee, FL 32301  
(850) 521-1713