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June 14, 2023

VIA ELECTRONIC FILING

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

Re: Docket No. 20230023-GU; Petition for Rate Increase by Peoples Gas System, Inc.

Docket No. 20220219-GU; Peoples Gas System's Petition for Rate Approval of 2022
Depreciation Study

Docket No. 20220212-GU; Peoples Gas System's Petition for Approval of Depreciation
Rate and Subaccount for Renewable Natural Gas Facilities Leased to Others

Dear Mr. Teitzman:

Attached for filing in the above docket is Peoples Gas System, Inc.'s Motion for Temporary Protective Order regarding Peoples' Late-Filed Deposition Exhibits.

Thank you for your assistance in connection with this matter.

Sincerely,

A handwritten signature in blue ink that reads 'V. Ponder'.

Virginia Ponder

VLP/ne
Attachment

cc: All parties of record (w/att.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for Rate Increase by Peoples Gas System, Inc.	DOCKET NO. 20230023-GU
Peoples Gas System’s Petition for Rate Approval of 2022 Depreciation Study	DOCKET NO. 20220219-GU
Peoples Gas System’s Petition for Approval of Depreciation Rate and Subaccount for Renewable Natural Gas Facilities Leased to Others	DOCKET NO. 20220212-GU FILED: June 14, 2023

**PEOPLES GAS SYSTEM INC.’S
MOTION FOR TEMPORARY PROTECTIVE ORDER**

Peoples Gas System, Inc. (“Peoples” or “the company”), pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, hereby requests that the Commission issue a temporary protective order exempting from Section 119.07(1), Florida Statutes, certain information specified herein as requested by the Office of Public Counsel (“OPC”) through discovery, and for the protection of that information against public disclosure pending OPC’s review of it. In support of its Motion, the company states:

1. On May 23 and 31 and June 1 and 2, 2023, OPC conducted confidential depositions of the company’s witnesses Helen J. Wesley, Kenneth D. McOnie, Rachel B. Parsons, Valerie R. Strickland, Lew Rutkin, Jr., Christian C. Richard, and Timothy O’Connor. The documents discussed during the depositions were produced to OPC subject to motions for temporary protective order and notices of intent to request confidential classification filed by the company prior to the depositions. Pending receipt and filing of the transcripts with the Commission Clerk, the content of the deposition and documents discussed during them are confidential.

2. During the depositions, OPC requested, and Peoples agreed to provide several late-filed deposition exhibits containing information not readily available during the depositions. An initial

draft of the late-filed deposition exhibits has now been prepared and once finalized, and agreed to by the parties, will be included as part of the confidential transcripts of the depositions, which transcripts are currently being prepared by the court reporter. However, OPC requested, and the company agreed to provide drafts of the late filed deposition exhibits contemporaneously with this motion for OPC's review in conjunction with the draft transcript of the depositions to confirm the accuracy thereof.

3. The late-filed deposition exhibits described above and listed on Exhibit A to this motion contain information the company believes to be "proprietary confidential business information." Peoples considers the designated information in these exhibits to be "proprietary confidential business information" that is entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes.

4. 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; and (f) employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. §366.093(3)(a)-(f), Florida Statutes. The confidential information that is the subject of this Motion falls within one or more of these statutory categories and, thus, constitutes proprietary confidential business information.

5. Exhibit A identifies the late-filed deposition exhibits that the company asserts are confidential and are the subject of this motion.

6. Public disclosure of the documents identified in Exhibit A would adversely affect the economic interests of Peoples and its customers.

7. Rule 25-22.006, Florida Administrative Code, provides for protection of this type of information when a utility allows OPC to inspect or take possession of such information in the course of discovery. Subsection (6)(c) of this rule states:

(c) When a utility or other person agrees to allow Public Counsel to inspect or take possession of utility information for the purpose of determining what information is to be used in a proceeding before the Commission, the utility may request a temporary protective order exempting the information from Section 119.07(1), F.S. If the information is to be used in a proceeding before the Commission, then the utility must file a specific request for a protective order under paragraph (a) above. If the information is not to be used in a proceeding before the Commission, then Public Counsel shall return the information to the utility in accordance with the record retention requirements of the Department of State.

8. Peoples requests a temporary protective order to allow OPC access to Peoples' confidential information as specified in Exhibit A while protecting the economic interests of Peoples and its customers from the harm that would result from public disclosure of the above-referenced confidential information. Peoples will work cooperatively with the parties to this proceeding to identify confidential information to be used at the final hearing in this docket and to request confidential classification as specified in the rule. To the extent that pre-filing of confidential documents is required, Peoples and the parties to this proceeding have further committed to work out a process to maintain both confidentiality of the information and preservation of the litigation rights of the respective parties consistent with Commission precedent. Furthermore, the parties have both agreed that the efficiency underlying this arrangement is not expected to require the closure of public access to hearings and that they will vigorously preserve confidentiality in

accordance with applicable law while taking all reasonable steps to accomplish necessary litigation in a manner that does not require closure of hearings.

9. Peoples maintains the confidential information in a confidential form and has not disclosed it publicly.

10. Peoples notes that the Florida Public Service Commission Staff has informally requested a copy of the transcripts of the depositions described above as well as the related late-filed deposition exhibits. Once the transcripts become available to Peoples, the company will review them, identify the specific pages and lines that include confidential information, prepare versions of the transcripts with the confidential information highlighted and redacted, and will file them and the late-filed deposition exhibits (including the confidential ones shown on Exhibit A) with the Commission Clerk along with a request for confidential classification as required by Rule 25-22.006, Florida Administrative Code.

WHEREFORE, Peoples requests that the Commission issue a Temporary Protective Order allowing it to provide OPC with the confidential information described above and listed in Exhibit A while maintaining the confidential nature of that information.

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DATED this 14th day of June, 2023.

Respectfully submitted,



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ATTORNEYS FOR PEOPLES GAS SYSTEM, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Temporary Protective Order, filed on behalf of Peoples Gas System, Inc., has been furnished by electronic mail on this 14th day of June, 2023 to the following:

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ATTORNEY

Exhibit A

LATE-FILED DEPOSITION EXHIBITS

LATE FILED EXHIBIT NUMBER	TITLE OF EXHIBIT
Richard Late Filed Exhibit Number 3	“Project Cost Capture Procedure”
Richard Late Filed Exhibit Number 18	“Supply Chain Analysis”
Rutkin Late Filed Exhibit Number 16	“Updated Capital Spend Plan”
Rutkin Late Filed Exhibit Number 17	“Updated List of Pipelines”