

Writer's E-Mail Address: bkeating@gunster.com

October 17, 2019

**VIA HAND DELIVERY**

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

**REDACTED**

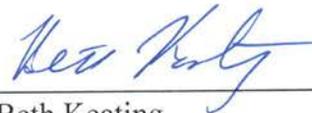
**Re: Docket No. 20190083-GU: Petition for Rate Increase by Sebring Gas System, Inc.**

Dear Mr. Teitzman:

Enclosed for filing, please find the original and 7 copies of Sebring Gas System's Request for Confidential Classification. Also included are one highlighted and two redacted copies of the referenced information in accordance with the Commission's rules.

Thank you for your assistance with this filing. As always, please do not hesitate to contact me if you have any questions whatsoever.

Sincerely,



Beth Keating  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe St., Suite 601  
Tallahassee, FL 32301  
(850) 521-1706

COM \_\_\_\_\_  
AFD \_\_\_\_\_  
APA \_\_\_\_\_  
ECO 6  
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GCL 1  
IDM \_\_\_\_\_  
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MEK

ATTACHMENTS

cc:// Office of Public Counsel (Kelly/Fall-Fry)

RECEIVED-FPSC  
2019 OCT 17 PM 4:41  
COMMISSION  
CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Application for rate increase in Highlands,  
Hardee, and Desoto Counties, by Sebring Gas  
System, Inc.

DOCKET NO. 20190083-GU

DATED: October 17, 2019

SEBRING GAS SYSTEM'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Sebring Gas System, Inc. ("Sebring" or "the Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(6)(c), Florida Administrative Code, hereby submits this Request for Confidential Classification regarding certain material contained in its responses to Staff's 10<sup>th</sup> Data Requests to the Company. In support of this Request, Sebring states as follows:

1. Portions of one of the referenced documents contains information regarding work performed pursuant to contract by Sebring's legal counsel. Sebring and its counsel treat this information as highly confidential, proprietary business information, and subject to the attorney-client privilege set forth in Section 90.502, Florida Statutes. If this information is publicly disclosed, such disclosure could harm the Company and potentially negate the privilege afforded certain aspects of the information.
2. Subsection 366.093(1), Florida Statutes, provides that upon request, records received by the Commission which are "found by the commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1)."
3. "Proprietary confidential business information" is defined as meaning "information, regardless of form or characteristics, which is owned or controlled by the ... company, is intended to be and is treated by the ... company as private in that the disclosure of the information would cause harm to the ratepayers or the 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." Section 366.093(3), Florida Statutes.

4. Proprietary confidential business information includes, but is not limited to, information concerning:
  - (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.Section 366.093(3), Florida Statutes.

5. The confidential portions of the referenced document provided falls within these statutory definitions, and therefore constitute proprietary confidential business information entitled to protection under Section 366.093(d) Florida Statutes, and Rule 25-22.006, Florida Administrative Code. The information, which has been treated by Sebring as highly confidential and has not been publicly disclosed, constitutes information about work done by Sebring's legal counsel pursuant to contract, which the parties treat as confidential. This information, if disclosed, would not only impair the efforts of Sebring to compete for services, but would potentially impair the Company's ability to continue to assert the attorney-client privilege for information

contained therein. Furthermore, such disclosure could impair the Company's ability to contract for goods and services with other legal vendors on reasonable terms in the future. The information therein is therefore proprietary confidential business information and is entitled to continued and ongoing protection under Section 366.093(d), Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

6. Specifically, Sebring seeks confidential classification of the highlighted information in the Legal Services attachment provided in response to Request No. 5 of Staff's 10<sup>th</sup> Data Requests. The highlighted information contained on attached invoices includes specific discussions, activities, strategy and related information regarding functions performed by counsel on Sebring's behalf. Release of the referenced information as a public record would harm both Sebring and counsel. Thus, the information meets the definition of "proprietary confidential business information" as set forth in Section 366.093(3)(e), Florida Statutes. As such, Sebring requests that the Commission protect this information consistent with Rule 25-22.006, Florida Administrative Code.
7. Included with this Request is a highlighted copy of the invoices reflecting the confidential information. Also enclosed are two redacted copies of the subject pages of the invoices.
8. Sebring asks that confidential classification be granted for a period of at least 18 months. Should the Commission no longer find that it needs to retain the information, Sebring respectfully requests that the confidential information be returned to the Company.

WHEREFORE, Sebring respectfully requests that the Commission enter an Order granting Confidential Classification to the highlighted information on the invoices included in the Legal Services attachment provided in response to Staff's 10<sup>th</sup> Data Requests.

Respectfully submitted this 17th day of October, 2019, by:



Beth Keating, Esquire  
Florida Bar No. 0022756  
Gunster Law Firm  
215 South Monroe Street  
Suite 601  
Tallahassee, FL 32301

Lila A. Jaber  
Florida Bar No. 0881661  
Gunster Law Firm  
215 South Monroe St., Suite 601  
Tallahassee, FL 32301  
(850) 521-1703

*Attorneys for Sebring Gas System, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing filing has been served by Electronic Mail (redacted only) this 17th day of October, 2019, upon the following:

J.R. Kelly, Public Counsel  
Mireille Fall-Fry  
Office of the Public Counsel  
c/o The Florida Legislature  
111 West Madison St., Rm 812  
Tallahassee, FL 32399-1400  
Fall-fry.mireille@leg.state.fl.us

By:   
Beth Keating  
Lila A. Jaber  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe St., Suite 601  
Tallahassee, FL 32301  
(850) 521-1706

Invoice No. 596111  
47878.1  
Sebring Gas System, Inc.  
Legal and Strategic Consulting for Sebring Rate Case



Invoice Date: March 19, 2019

**FEES**

02/27/19	Keating, Beth E.	1.3	\$487.50	[REDACTED]
				[REDACTED]
				[REDACTED]
03/07/19	Keating, Beth E.	0.8	\$300.00	[REDACTED]
				[REDACTED]
		<u>2.1</u>		

\$787.50 TOTAL LEGAL SERVICES

**DISBURSEMENTS**

03/15/19	\$2.40	Telephone, postage, and imaging (detail available upon request)
	<u>\$2.40</u>	TOTAL DISBURSEMENTS

Invoice No. 598591  
47878.1  
Sebring Gas System, Inc.  
Legal and Strategic Consulting for Sebring Rate Case



**GUNSTER**

Invoice Date: April 17, 2019

**FEES**

03/18/19	Keating, Beth E.	1.0	\$375.00	[REDACTED]
03/20/19	Keating, Beth E.	0.3	\$112.50	[REDACTED]
03/21/19	Keating, Beth E.	0.6	\$225.00	[REDACTED] [REDACTED] [REDACTED]
03/29/19	Keating, Beth E.	1.0	\$375.00	[REDACTED] [REDACTED]
		<u>2.9</u>		

\$1,087.50 TOTAL LEGAL SERVICES

**DISBURSEMENTS**

04/15/19	\$7.20	Telephone, postage, and imaging (detail available upon request)
	<u>\$7.20</u>	TOTAL DISBURSEMENTS



<u>FEES</u>				
05/20/19	Keating, Beth E.	1.0	\$375.00	[REDACTED]
05/21/19	Keating, Beth E.	1.9	\$712.50	[REDACTED]
05/22/19	Keating, Beth E.	1.8	\$675.00	[REDACTED]
05/23/19	Keating, Beth E.	1.4	\$525.00	[REDACTED]
05/26/19	Keating, Beth E.	0.5	\$187.50	[REDACTED]
05/28/19	Jaber, Lila A.	0.3	\$150.00	[REDACTED]
05/28/19	Keating, Beth E.	2.0	\$750.00	[REDACTED]
05/29/19	Jaber, Lila A.	0.2	\$100.00	[REDACTED]
05/29/19	Keating, Beth E.	0.2	\$75.00	[REDACTED]
05/30/19	Keating, Beth E.	1.0	\$375.00	[REDACTED]
05/31/19	Keating, Beth E.	0.2	\$75.00	[REDACTED]
06/03/19	Keating, Beth E.	4.7	\$1,762.50	[REDACTED]
06/04/19	Keating, Beth E.	3.7	\$1,387.50	[REDACTED]

Invoice No. 603627  
47878.1  
Sebring Gas System, Inc.  
Legal and Strategic Consulting for Sebring Rate Case



Invoice Date: June 17, 2019

06/05/19	Keating, Beth E.	3.9	\$1,462.50	[REDACTED]
06/12/19	Keating, Beth E.	0.3	\$112.50	[REDACTED]
06/13/19	Keating, Beth E.	0.5	\$187.50	[REDACTED]
06/14/19	Keating, Beth E.	0.6	\$225.00	[REDACTED]

24.2

\$9,137.50 TOTAL LEGAL SERVICES

DISBURSEMENTS

06/15/19	\$519.75	Telephone, postage, and imaging (detail available upon request)
	<u>\$519.75</u>	TOTAL DISBURSEMENTS



**FEES**

06/17/19	Keating, Beth E.	1.5	\$562.50	[REDACTED]
07/02/19	Keating, Beth E.	0.4	\$150.00	[REDACTED]
07/03/19	Keating, Beth E.	0.7	\$262.50	[REDACTED]
07/09/19	Keating, Beth E.	0.6	[REDACTED]	[REDACTED]
07/11/19	Keating, Beth E.	1.0	\$375.00	[REDACTED]
07/12/19	Keating, Beth E.	2.5	[REDACTED]	[REDACTED]
07/15/19	Keating, Beth E.	0.8	[REDACTED]	[REDACTED]

7.5

\$2,812.50 TOTAL LEGAL SERVICES

**DISBURSEMENTS**

06/12/19	\$16.51	Cost advanced for delivery to Jerry H. Melendy, Jr.. Id : 775454522349
06/12/19	\$16.51	Cost advanced for delivery to Russell Melendy. Id : 775454612189
06/13/19	\$15.50	Cost advanced for delivery to Mr. Tom Geoffroy. Id : 775462988775
06/13/19	\$12.27	Cost advanced for delivery to Bruce Christmas, President. Id : 775463060042



<u>FEES</u>				
07/16/19	Keating, Beth E.	0.6	\$225.00	[REDACTED]
07/17/19	Keating, Beth E.	1.6	\$600.00	[REDACTED]
07/19/19	Keating, Beth E.	0.8	\$300.00	[REDACTED]
07/21/19	Keating, Beth E.	0.2	\$75.00	[REDACTED]
07/22/19	Keating, Beth E.	1.3	\$487.50	[REDACTED]
07/23/19	Keating, Beth E.	2.2	\$825.00	[REDACTED]
07/24/19	Keating, Beth E.	0.7	\$262.50	[REDACTED]
07/24/19	Keating, Beth E.	0.4	\$150.00	[REDACTED]
07/25/19	Keating, Beth E.	0.4	\$150.00	[REDACTED]
07/29/19	Keating, Beth E.	1.0	\$375.00	[REDACTED]
07/30/19	Jaber, Lila A.	1.0	\$500.00	[REDACTED]
07/30/19	Keating, Beth E.	1.5	\$562.50	[REDACTED]
07/31/19	Jaber, Lila A.	0.5	\$250.00	[REDACTED]

Invoice No. 608713  
 47878.1  
 Sebring Gas System, Inc.  
 Legal and Strategic Consulting for Sebring Rate Case



Invoice Date: August 19, 2019

07/31/19	Keating, Beth E.	2.3	\$862.50	[REDACTED]
08/05/19	Keating, Beth E.	1.0	\$375.00	[REDACTED]
08/06/19	Keating, Beth E.	0.4	\$150.00	[REDACTED]
08/07/19	Keating, Beth E.	0.4	[REDACTED]	[REDACTED]
08/08/19	Keating, Beth E.	8.0	[REDACTED]	[REDACTED]
08/09/19	Keating, Beth E.	4.0	[REDACTED]	[REDACTED]
08/12/19	Keating, Beth E.	0.3	[REDACTED]	[REDACTED]
08/13/19	Keating, Beth E.	2.0	\$ [REDACTED]	[REDACTED]
08/14/19	Keating, Beth E.	0.5	\$187.50	[REDACTED]

31.1

\$11,850.00 TOTAL LEGAL SERVICES

**DISBURSEMENTS**

07/12/19	\$14.13	Cost advanced for delivery to Chief Librarian/director. Id : 775707938249
07/12/19	\$14.88	Cost advanced for delivery to Chief Librarian/director. Id : 775708756786
07/12/19	\$14.88	Cost advanced for delivery to Chief Librarian/director. Id : 775708972869
07/12/19	\$14.50	Cost advanced for delivery to Jerry Melendy. Id : 775709214451



<u>FEES</u>				
08/15/19	Keating, Beth E.	0.8	\$300.00	[REDACTED]
08/16/19	Keating, Beth E.	0.6	\$225.00	[REDACTED]
08/21/19	Keating, Beth E.	1.2	\$450.00	[REDACTED]
08/22/19	Keating, Beth E.	0.7	\$262.50	[REDACTED]
08/23/19	Keating, Beth E.	1.5	\$562.50	[REDACTED]
08/26/19	Keating, Beth E.	0.6	\$225.00	[REDACTED]
08/27/19	Keating, Beth E.	0.3	\$112.50	[REDACTED]
08/28/19	Keating, Beth E.	0.8	\$300.00	[REDACTED]
08/29/19	Keating, Beth E.	0.3	\$112.50	[REDACTED]
08/30/19	Keating, Beth E.	0.7	\$262.50	[REDACTED]
09/03/19	Keating, Beth E.	1.2	\$450.00	[REDACTED]
09/04/19	Keating, Beth E.	0.8	\$300.00	[REDACTED]
09/05/19	Keating, Beth E.	0.9	\$337.50	[REDACTED]
09/06/19	Keating, Beth E.	1.3	\$487.50	[REDACTED]



Invoice No. 596111  
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Sebring Gas System, Inc.  
Legal and Strategic Consulting for Sebring Rate Case



Invoice Date: March 19, 2019

<u>FEES</u>				
02/27/19	Keating, Beth E.	1.3	\$487.50	[REDACTED]
				[REDACTED]
				[REDACTED]
03/07/19	Keating, Beth E.	0.8	\$300.00	[REDACTED]
				[REDACTED]
		<hr/> 2.1		
			\$787.50	TOTAL LEGAL SERVICES

DISBURSEMENTS

03/15/19	\$2.40	Telephone, postage, and imaging (detail available upon request)
	<hr/> \$2.40	TOTAL DISBURSEMENTS

Invoice No. 598591  
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Sebring Gas System, Inc.  
Legal and Strategic Consulting for Sebring Rate Case



GUNSTER

Invoice Date: April 17, 2019

FEES

03/18/19	Keating, Beth E.	1.0	\$375.00	[REDACTED]
03/20/19	Keating, Beth E.	0.3	\$112.50	[REDACTED]
03/21/19	Keating, Beth E.	0.6	\$225.00	[REDACTED]
03/29/19	Keating, Beth E.	1.0	\$375.00	[REDACTED]
		<u>2.9</u>		

\$1,087.50 TOTAL LEGAL SERVICES

DISBURSEMENTS

04/15/19	\$7.20	Telephone, postage, and imaging (detail available upon request)
	<u>\$7.20</u>	TOTAL DISBURSEMENTS



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05/20/19	Keating, Beth E.	1.0	\$375.00	[REDACTED]
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05/23/19	Keating, Beth E.	1.4	\$525.00	[REDACTED]
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24.2

\$9,137.50 TOTAL LEGAL SERVICES

DISBURSEMENTS

06/15/19	\$519.75	Telephone, postage, and imaging (detail available upon request)
	<u>\$519.75</u>	TOTAL DISBURSEMENTS

Invoice No. 606391  
 47878.1  
 Sebring Gas System, Inc.  
 Legal and Strategic Consulting for Sebring Rate Case



Invoice Date: July 17, 2019

<u>FEES</u>				
06/17/19	Keating, Beth E.	1.5	\$562.50	[REDACTED]
07/02/19	Keating, Beth E.	0.4	\$150.00	[REDACTED]
07/03/19	Keating, Beth E.	0.7	\$262.50	[REDACTED]
07/09/19	Keating, Beth E.	0.6	[REDACTED]	[REDACTED]
07/11/19	Keating, Beth E.	1.0	\$375.00	[REDACTED]
07/12/19	Keating, Beth E.	2.5	[REDACTED]	[REDACTED]
07/15/19	Keating, Beth E.	0.8	[REDACTED]	[REDACTED]
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08/07/19	Keating, Beth E.	0.4	[REDACTED]	[REDACTED]
08/08/19	Keating, Beth E.	8.0	[REDACTED]	[REDACTED]
08/09/19	Keating, Beth E.	4.0	[REDACTED]	[REDACTED]
08/12/19	Keating, Beth E.	0.3	[REDACTED]	[REDACTED]
08/13/19	Keating, Beth E.	2.0	\$ [REDACTED]	[REDACTED]
08/14/19	Keating, Beth E.	0.5	\$187.50	[REDACTED]

31.1

\$11,850.00 TOTAL LEGAL SERVICES

**DISBURSEMENTS**

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08/23/19	Keating, Beth E.	1.5	\$562.50	[REDACTED]
08/26/19	Keating, Beth E.	0.6	\$225.00	[REDACTED]
08/27/19	Keating, Beth E.	0.3	\$112.50	[REDACTED]
08/28/19	Keating, Beth E.	0.8	\$300.00	[REDACTED]
08/29/19	Keating, Beth E.	0.3	\$112.50	[REDACTED]
08/30/19	Keating, Beth E.	0.7	\$262.50	[REDACTED]
09/03/19	Keating, Beth E.	1.2	\$450.00	[REDACTED]
09/04/19	Keating, Beth E.	0.8	\$300.00	[REDACTED]
09/05/19	Keating, Beth E.	0.9	\$337.50	[REDACTED]
09/06/19	Keating, Beth E.	1.3	\$487.50	[REDACTED]

