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October 31, 2007

Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Application of Floridian Natural Gas Storage Company, LLC for Certificate of Public Convenience and Necessity for a New Natural Gas Storage Facility Docket Nos. CP08- -000, *Expedited Action Requested*

Dear Ms. Bose:

Pursuant to Section 7(c) of the Natural Gas Act ("NGA"), 15 U.S.C. §717f and Part 157 of the Federal Energy Regulatory Commission's ("Commission") regulations, 18 C.F.R. Part 157, Floridian Natural Gas Storage Company, LLC ("FGS") hereby submits its application for a certificate of public convenience and necessity to construct, own and operate a new natural gas storage facility and ancillary facilities to be located near Indiantown in Martin County, Florida (the "Project"), as well as certain blanket certificates of public convenience and necessity pursuant to Parts 157(f) and 284(G) of the Commission's Regulations (the "Application").

As more fully explained and supported in the Application and accompanying exhibits, the proposed FGS Project will benefit the public by serving the particularly robust and growing demand for natural gas in Florida: The Project will add critical new natural gas infrastructure, provide a reliable and timely natural gas storage service and make available a stable source of up to 8 Bcf of stored liquefied natural gas. The proposed storage facilities not only will be on a site which will have the least environmental and community impact, but will connect to the market in a manner that also will minimize environmental and community impacts.

The Application is organized into six volumes comprising 20 binders:

- **Volume I** - Application and Exhibits
 - 1 binder: Volume I-A (Public)
 - 1 binder: Volume I-B (Privileged)

- **Volume II** – Resource Reports 1-12 - Public
 - 6 binders: Volumes II-A through II-F (Public)

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- **Volume III** – Resource Reports 1-12 – Non-Internet Public
1 binder: Volumes III (NIP)
- **Volume IV** – Resource Reports 1-12 – Critical Energy Infrastructure
1 binder: Volumes IV (CEII)
- **Volume V** – Resource Reports 1-12 – Privileged
1 binder: Volumes V (Privileged)
- **Volume VI** – Resource Report 13
1 binder: Volumes VI-1 (Public)
5 binders: Volumes VI-2 through VI-6 (CEII)
1 binder: Volumes VI-7 (Privileged)
1 oversized binder: Volumes VI-8 (CEII)
1 oversized binder: Volumes VI-9 (Privileged)

The Volumes comprising each category of information are treated as follows:

- **Public Information:** Volume I-A, II-A, II-B, II-C, II-D, II-E, II-F and VI-1 contain public data. They are marked "Public" and indicate internally where Non Internet Public ("NIP") information, Critical Energy Infrastructure Information ("CEII") and Privileged Information, respectively, have been removed. An original and 7 public copies of these Volumes are submitted herewith.
- **Non-Internet Public Information:** Volume III contains NIP material that has been redacted from the Resource Reports 1-12 in Volume II and is being submitted pursuant to the Commission's procedures contained in 18 C.F.R. §388.112. It has been marked "Non-Internet Public." The NIP documents comprise maps and figures, including alignment sheets and U.S.G.S. topographic maps, providing location information that does not qualify as CEII, but that shows the location of aboveground facilities, right-of-way dimensions, extra work areas; and site or project boundaries. An original and 7 public copies of Volume III are submitted herewith.
- **Critical Energy Infrastructure Information:** Volume IV contains CEII that has been redacted from Exhibit F-I, and more specifically from Resource Reports 1, 2, 3, 4, 8, 9 and 11. Volumes VI-2, VI-3, VI-4, VI-5, VI-6 and VI-8 contain CEII that has been redacted from Resource Report 13. These CEII Volumes are being submitted pursuant to the Commission's procedures contained in 18 C.F.R. §388.112. The CEII

material is marked "Critical Energy Infrastructure Information -- Do Not Release." An original and 2 copies of each of the CEII Volumes are submitted herewith.

CEII is specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: relates details about the production, generation, transmission, or distribution of energy; could be useful to a person planning an attack on critical infrastructure; is exempt from mandatory disclosure under the Freedom of Information Act; and gives strategic information beyond the location of the critical infrastructure. The following material is segregated as CEII because it does not simply give the general location of critical infrastructure, but provides detailed engineering or design information about the proposed storage facilities and indicates the specific location of critical features of the facility or is a detailed flow diagram, and it could be useful to a person planning an attack on critical infrastructure:

- From Resource Report 1 - Figure 1.1-3 "Block Flow Diagram"; Figure 1.1-4 "Conceptual Design of the Storage Tank"; Figure 1.2-1 "Plot Plan of the Project Construction Facilities"; Figure 1.10-2 "Aerial Photography of the Project Site"; and, Figure 1.10-3 "Aerial Photography-Based Alignment Sheets."
- From Resource Report 2 – from Appendix 2-E, FGS's Environmental Resource Permit Applications, Attachment C to the pipelines application showing Construction Plans and Drawings 4-9 in Attachment H to the storage facility application showing Plot Plans; from Appendix 2-F, FGS's SPCC Plan, Figure 2-2 showing Construction Laydown Areas, Figure 2-3 showing the Facility Plot Plan, and Figure 6-1 showing the Proposed Grading Plan; from Appendix 2-H, FGS's April 19, 2007 Martin County Application, the Master/Final Site Plan, the Landscape Plan, Sheets K-1, HC-1, P-1, and WW-1 of the Construction Plans and Specifications; and, from Appendix 2-H, FGS's September 21, 2007 Revised Martin County Application Materials, the Master/Final Site Plan, the Landscape Plan, the Wetland Buffer Restoration Plan, Sheets K-1, HC-1, P-1, P-2, WW-1 and WW-2 of the Construction Plans and Specifications.
- From Resource Report 3 – from Appendix 3-A, Wetland Boundaries, Sheet 1 of Figure 9 showing the Boundary Survey; from Appendix 3-C, Agency Correspondence, Sheet 1 of 3 sheets

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of Survey Drawings appended to the July 13, 2007 FGS letter to the USACE; and Appendix 3-E, the Landscape Plan.

- From Resource Report 4 – from Appendix 4-C, Cultural Resource Assessment Survey Report, Appendix IV, Map of Temporary Areas to be Utilized During Construction.
- From Resource Report 8 – Figure 8.4-1 “Temporary Construction Area.”
- From Resource Report 9 – from Appendix 9-A, FGS’s FDEP Minor Source Air Construction Permit Application, Figure 3 “Project Plot Plan B” and Figure 4 “Process Flow Diagram.”
- From Resource Report 11 – Figure 11.2-1 “Plot Plan of Liquefied Natural Gas Spill Impoundments”; Figure 11.2-2 “Spill Impoundment Cross Sections”; Figure 11.2-3 “Thermal Radiation Exclusion Zones”; Figure 11.2-4 “Vapor Dispersion Exclusion Zones”; and, Appendix 11-B, Weather Data for the FGS Project.
- Large parts of Resource Report 13 that contain the engineering details of the components of this Project are labeled CEII. These materials do not simply give the general location of the critical infrastructure, but contain specific engineering and detailed design information about the proposed storage facility, its components, e.g., detailed piping and instrumentation diagrams, equipment and tank detail drawings and detailed information about hazard detection systems.

In short, the materials included in these CEII Volumes satisfy the definition of “critical energy infrastructure information” set forth in 18 CFR §388.113(c)(1), i.e., these Volumes contain “specific engineering, vulnerability, or design information about proposed . . . critical infrastructure that: (1) Relates details about the . . . transportation . . . of energy; (2) Could be useful to a person in planning an attack on critical infrastructure; and (3) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. §552 (2000).”

- **Privileged Information:** Volume I-B contains privileged information that has been redacted from Volume I-A; Volume V contains privileged information that has been redacted from Volume II; Volume VI-7 contains privileged information that has been redacted from Volumes VI-

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1 through VI-6; and, Volume VI-9 contains the Project Drawings that are privileged. This material is marked "Contains Privileged Information -- Do Not Release." One original of each of Volume I-B, Volume V, Volume VI-7 and Volumes VI-9 is being filed herewith. The following material is segregated as Privileged:

- In Volume I-B, from Application Exhibit A, Articles of Incorporation and Bylaws, the Amended and Restated Limited Liability Company Agreement and the First Amendment thereto. These documents constitute confidential, commercially-sensitive business information.
- In Volume V, from Resource Report 4, Appendix 4-C "Cultural Resource Assessment Survey Report." This document contains information showing archeological and historical sites in the vicinity of the Project and provides other sensitive information about cultural resources location and character.
- In Volume I-A, from Application Exhibit G – G-II, Flow Diagrams and Flow Diagram Data, the Process Flow sheets for Liquefaction and Vaporization; in Volume VI-7, from Resource Report 13, Appendix 13-T "Project Specifications"; and in Volume VI-9, certain Project Drawings. These documents were prepared by CB&I for FGS and contain confidential and proprietary information, which is commercially sensitive. Release of this information could cause substantial competitive harm to both CB&I and FGS and this information would be exempt from disclosure under FOIA.

In accordance with the Commission's regulations, 18 C.F.R. §388.112, FGS requests that the foregoing information listed as privileged, in its entirety, be placed in a non-public file and treated as privileged.

FGS is also filing one diskette for each of the following Volumes: I-A, II-A, II-D, II-E, III, IV, VI-1, VI-2, VI-3, VI-4, VI-5, VI-6 and VI-8. No diskette is being filed for Volumes I-B, V, VI-7 and VI-9, which contain Privileged material, or for Volumes II-B, II-C and II-D, which contain large FGS applications that include oversize components and for which FGS has requested a waiver of the FERC requirement to file in electronic format.

In addition, FGS is providing to the following Commission Staff paper copies of all Volumes of the Application and diskettes of all Application Volumes except those for which FGS is seeking a waiver of the requirement to file in electronic format: two to Charles Brown and one to

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Joanne Wachholder, both FERC OEP Environmental Project Managers. In addition; FGS is providing to Terry Turpin, Chief, LNG Engineering Branch, three copies and three diskettes of Volumes I-A, II-E, IV, VI-1 through VI-9. Finally, FGS is providing to Barbara Mohrman, the Project Manager at ERM, the third party environmental contractor for this Project, two paper copies of all Volumes of the Application and two diskettes of all Application Volumes except those for which FGS is seeking a waiver of the requirement to file in electronic format. *The Privileged documents are being provided to the Staff and the ERM Project Manager in paper copies and diskettes with the request that they be kept in a non-public file and treated as privileged.*

Another copy of this letter is enclosed for date-stamping, to be returned to my messenger.

FGS requests that correspondence, communications, and Commission orders with respect to this application be directed to the following:

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* Designated to receive service in accordance with Rule 2010 of the Commission Regulations.

In accordance with Rules 2005 and 2011(c)(5) of the Commission's Rules of Practice and Procedure, 18 CFR §§385.2005, 385.2011(c)(5), the undersigned hereby states that she has full authority to make such filing; that the paper copies of this filing contain the same

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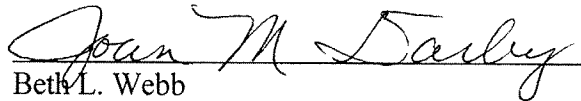
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information as contained in the electronic media; that she has read the filing and knows the contents of the paper copies and the electronic media, and that the contents are true to the best of her knowledge and belief.

If you have any questions about any of these submissions, please do not hesitate to contact me at (202) 420-2745 or Beth Webb at (202) 420-4782.

Sincerely,



Beth L. Webb

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Enclosures

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Terry Turpin, FERC
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John M. Wrublik, US Fish and Wildlife Service
Ted Walden, US Environmental Protection
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