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**Florida
Power**
CORPORATION

JAMES A. MCGEE
SENIOR COUNSEL

February 22, 1996

Ms. Blanca S. Bayó, Director
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 950110-EI

RECEIVED
MAIL ROOM
96 FEB 23 AM 11:05
STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

Dear Ms. Bayó:

Enclosed for filing in the subject docket are the original and ten copies of Florida Power Corporation's Request for Confidential Classification. Also enclosed are two separate envelopes containing redacted and unredacted versions of the material for which Florida Power is seeking confidential classification. **This unredacted version should be held as Confidential Information in accordance with Rule 25-22.006, F.A.C.**

Please acknowledge your receipt of the above filing on the enclosed copy of this letter and return to the undersigned. Also enclosed is a 3.5 inch diskette containing the above-referenced document in WordPerfect format.

Thank you for your assistance in this matter.

Very truly yours,

James A. McGee

JAM/jb
Enclosures

cc: Parties of Record

RECEIVED & FILED

29
FPSC BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

02217 FEB 23 96

GENERAL OFFICE

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Standard offer Contract for the purchase of firm capacity and energy from a qualifying facility between Panda-Kathleen, L.P. and Florida Power Corporation.

Docket No. 950110-EI

Submitted for filing:
February 23, 1996

**FLORIDA POWER CORPORATION'S
AMENDED REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Florida Power Corporation ("FPC"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, F.A.C., requests confidential classification of certain information in an internal FPC document, COGENERATION REVIEW, offered as Composite Exhibit No. 23 (RK-5) to the direct testimony of Ralph Killian at the hearing in this matter on February 19, 1996. In support of its request, FPC states:

1. On January 26, 1996 FPC filed a request for confidential classification of certain information in an internal FPC document attached to the prefiled direct testimony of Ralph Killian as Exhibit RK-5. This exhibit consisted of the first 21 pages of a much larger document previously provided to Panda in the course of discovery pursuant to a confidentiality agreement. During the hearing, however, Panda informed the Commission and FPC that intended to use the entire document as Mr. Killian's Exhibit RK-5 (which, by that time, had been included in a composite exhibit marked for identification by the Chairman as Exhibit No. 23). The revised and expanded RK-5 was treated and handled as a confidential document during the hearing to allow FPC the opportunity to review the additional pages to determine if they contained confidential information.

DOCUMENT NUMBER-DATE

02217 FEB 23 1996

2. FPC has now reviewed the internal document contained in expanded Exhibit RK-5 and has identified six additional instances of confidential information, in addition to the single instance identified in FPC's original request for confidential classification filed January 26, 1996. All seven instances are identified by Bates page number and line number on the justification matrix contained in Attachment A hereto. The confidential documents are contained in the enclosed sealed and specially marked envelope, with the confidential information highlighted on a line-by-line basis.

3. The highlighted portion of this document is proprietary and confidential to FPC. The highlighted portion satisfies the general requirements of the definition of proprietary and confidential business information in Sections 366.093(3), and 366.093(3)(e), Florida Statutes. That statute provides, in relevant part, that proprietary confidential business information is:

Information, regardless of form or characteristic, 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 a private agreement that provides that the information will not be released to the public. Proprietary confidential business information includes but is not limited to:

(e) information relating to competitive interest, disclosure of which would impair the competitive business of the provider of the information.

§ 366.093(3)(e), Fla. Stat. (1993).

4. The document contained in Exhibit RK-5 is FPC's analysis of cogenerated power. In it FPC reviews its present and projected purchases of cogenerated power and discusses the financial and strategic import of cogenerated power to FPC. Certain of that information, specifically, financial and strategic


forecasts related the cogenerated power purchased by FPC, is confidential and proprietary information. Disclosure of FPC's financial forecasts would impair FPC's ability to negotiate and obtain favorable terms in the financial and equity markets in the future.

5. As a matter of corporate policy, FPC treats this type of financial and strategic planning information as confidential and proprietary and has not publicly disclosed it. As such, the information constitutes proprietary confidential business information entitled to protection from disclosure pursuant to Section 366.093, Florida Statutes. FPC, then, requests that the highlighted information identified as confidential in the enclosed envelope be designated confidential for the reasons set forth herein and in Attachment A.

WHEREFORE, Florida Power Corporation requests that the highlighted information in its internal document entitled COGENERATION REVIEW, Exhibit RK-5 of Composite Exhibit No. 23 to the direct testimony of Ralph Killian, be classified confidential.

Respectfully submitted,

OFFICE OF THE GENERAL COUNSEL
FLORIDA POWER CORPORATION

By 

James A. McGee
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St. Petersburg, FL 33733-4042
Telephone: (813) 866-5184
Facsimile: (813) 866-4931

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ATTACHMENT A**FLORIDA POWER CORPORATION
DOCKET NO. 950110-EI****Justification Matrix for
REQUEST FOR CONFIDENTIAL CLASSIFICATION*****COGENERATION REVIEW and
COGENERATION AND PURCHASED POWER STRATEGIC PROPOSAL***

BATES NUMBER	LINE	JUSTIFICATION
400189	16-19	Information at lines 16 through 19 projects the cost to FPC and its parent company of any downgrades in various bond and commercial paper ratings over the next 5 years. Disclosure of these non-public financial forecasts would provide lenders information they would not otherwise have in determining their charges to FPC. As a result, disclosure would subject FPC to an increase in the charges and fees to FPC for bonds and commercial paper.
400213	11-14 (below table)	The information at lines 11 through 14 projects FPC's total debt to capital ratio and pre-tax interest coverage. Again, disclosure of this information would weaken FPC's bargaining position in the financial markets and subject FPC to higher costs and fees for financing transactions than would otherwise have been incurred absent disclosure of this information.
400214	Table 2 and lines 6-19 (below Table)	Table 2 and lines 6 through 19 are a continuation of the discussion at Bates Number 400213 and should be considered confidential for the reasons given above.
400215	1-3	The information at lines 1 through 3 also is a continuation of the discussion of confidential information appearing at Bates Numbers 400213 and 400214. Accordingly, it should be considered confidential for the reasons given above.

400224	26-38	The information at lines 26 through 38 identifies FPC's strategies with respect to purchases of cogenerated power, specifically buy-outs or buy-downs. Disclosure of FPC's negotiation strategy in advance would weaken FPC's bargaining position and would reduce FPC's ability to negotiate terms favorable to FPC and its ratepayers.
400231	3-10	The information at lines 3 through 10 discusses equity financing strategies and forecasts the impact of those strategies. Disclosure of the financial strategies would undermine FPC's ability to implement them at a more favorable cost than would be obtained had the information not been disclosed. Disclosure of the volume of FPC's projected equity needs would likely result in a decrease in the price of the stock to the harm of FPC's business interests.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Standard Offer Contract for
the purchase of firm capacity and
energy from a qualifying facility
between Panda-Kathleen, L.P.
and Florida Power Corporation.

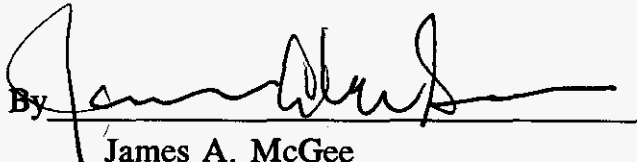
Docket No. 950110-EI

Submitted for filing:
February 23, 1996

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power Corporation's Amended Request for Confidential Classification has been furnished to David L. Ross, Esq., Greenberg, Traurig, Hoffman, Lipoff, Rosen & Quentel, P.A., 1221 Brickell Avenue, Miami, Florida 33131 via Federal Express and Martha Carter Brown, Division of Legal Services, Florida Public Service Commission, 2450 Shumard Oak Blvd., Tallahassee, Florida 32399-0892, by regular U.S. Mail this 22nd day of February, 1996

OFFICE OF THE GENERAL COUNSEL
FLORIDA POWER CORPORATION

By 

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