



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: September 25, 2001
TO: Marlene Stern, Division of Legal Services
FROM: Elisabeth Draper, Division of Economic Regulation
RE: Docket No. 010949-EI, Petition of Gulf Power Company for an increase in its retail rates and charges.

Handwritten initials: DRW, EJD

Recommendation concerning Gulf Power Company's (Gulf) request for confidential classification of Document No. 11261-01.

On September 10, 2001, Gulf filed a Request for Confidential Classification (request) of certain information contained in specified portions of Schedules E-16c, E-18a, E-18b, and E-18c of Gulf's Minimum Filing Requirements (MFR) in the above docket. The confidential information is located in Document No. 11261-01.

Gulf states that information contained in the above listed schedules reveals the specific billing determinants of three customers. Gulf further asserts that this information is entitled to confidential classification pursuant to Section 366.093(3)(a), Florida Statutes, as information the public disclosure of which would cause irreparable harm to the competitive interest of one or more of Gulf's customers and would disclose trade secrets of the provider of that information. The pages, lines, and columns for which Gulf seeks confidential classification are attached to this recommendation. See Attachment A.

Staff recommends denial of Gulf's confidentiality request for the pages, lines, and columns listed in Tables 1 and 2 shown below. Table 1 contains information that does not reveal customer-specific load and usage data and does therefore not qualify as proprietary business information. Table 2 contains information that is available in Gulf's FERC Form No. 1: Annual Report of Major Electric Utilities, Licensees and Others. Specifically, the Sales of Electricity by Rate Schedule reports in the FERC Form 1 for 1998, 1999, and 2000 contain the same or similar information as shown in Table 2. The Sales of Electricity by Rate Schedule report in the FERC Form No. 1 is a public document. The information contained in Table 2 therefore does not qualify as proprietary business information.

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DOCUMENT NUMBER DATE

12075 SEP 25 01

FPSC-COMMISSION CLERK

TABLE 1

Schedule	Page	Line(s)	Column(s)
E-16c	15 of 17	18	A, B, C, D
E-16c	16 of 17	18 and 19	A, B, C, D
E-18a	1 of 1	all lines	A, B, C, D
E-18b	1 of 2	13 through 28	A
E-18b	2 of 2	13 through 16	A, B, C, D, E

TABLE 2

Schedule	Page	Line(s)	Column(s)
E-18c	1 of 2	14 through 25	A, B
E-18c	2 of 2	13 through 25	A, B

Staff recommends that the pages, lines, and columns cited in Gulf's request that are not listed in the tables above be granted confidential classification. They contain customer-specific historic and projected usage data and therefore qualify as confidential information pursuant to Section 366.093, Florida Statutes.

EXHIBIT C**Section****Schedule E-16c**

Page 15 of 17

Lines 18, 22, 27, 28, 34 columns A, B, C, D

Lines 37, 38-40 columns B,D

Page 16 of 17

Lines 18, 19, 22, 23, 26, 27, 30, 33-36, 38 columns A,B,C D

Page 17 of 17

Lines 16, 29, 31, 32 columns B, D

Lines 22-27, columns A, B, C, D

Line 30 column B

Schedule E-18a

Page 1 of 1

Lines 14, 16-17, 19- 20, 22-23, 27-29, 33, 34, 38-49, 51-52, 56

columns A, B,C, D

Schedule E-18b

Page 1 of 2

Lines 13-16, 18, 20, 22, 26-28, 32, 36-47, 49, 52 columns A

Schedule E-18b

Page 2 of 2

Lines 13-16, 18, 20, 22, 26-28, 32, 36-47, 49, 52 columns A, B, C, D, E

Schedule E-18c

Page 1 of 2

Lines 14, 16, 18, 20, 23-25, 29, 33-44, 46, 49 column A, B

Schedule E-18c

Page 2 of 2

Lines 13-14, 16, 18, 20, 23-25, 29, 33-44, 46, 49 columns A, B

Justification

Gulf Power asserts that this information is entitled to confidential classification pursuant to §366.093(3)(a) and (e), Florida Statutes, as information, the public disclosure of which would cause irreparable harm to the competitive interests of one or more of Gulf's customers and would disclose trade secrets of the provider of that information. The MFRs contain proprietary and commercially sensitive information that is not otherwise publicly available. Specifically, the information in the MFRs reveals billing determinate for three specific customers. Electricity is a large component of the cost of doing business or the cost of manufacturing a product to some customers. A customer's electricity usage information, if publicly disclosed, could be utilized by that customer's competitors to undermine the customer's market position in its native market. Customers also have the expectation that their customer-specific information, including load and usage data, will not be publicly disclosed. Specific customer information is generally afforded confidential classification by the Commission and Gulf requests confidential classification on behalf of these three customers for the specified information on the MFRs as stated herein. The totals utilized in other MFRs are not subject to this request for confidential classification in that only the details underlying the totals is considered confidential. The more specific details regarding billing determinates on the MFRs are the subject of this request.

STATE OF FLORIDA

Conrad

Commissioners:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
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DIVISION OF THE COMMISSION CLERK AND
ADMINISTRATIVE SERVICES
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Public Service Commission

M-E-M-O-R-A-N-D-U-M

DATE: September 11, 2001

TO: _____ DIVISION OF APPEALS
_____ DIVISION OF COMPETITIVE SERVICES
XX _____ DIVISION OF ECONOMIC REGULATION
_____ DIVISION OF LEGAL SERVICES
_____ DIVISION OF POLICY ANALYSIS & INTERAGENCY LIAISON
_____ DIVISION OF REGULATORY OVERSIGHT
_____ DIVISION OF SAFETY & ELECTRIC RELIABILITY

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO: 11261-01

DESCRIPTION: GPC (Ritenour) - (CONFIDENTIAL) Portions of Schedules E-16c, E-18a, E-18b, and E-18c of MFRS.

SOURCE: Gulf Power Company

DOCKET NO: 010949-EI

01 SEP 11 PM 3:51
ECONOMIC REGULATION

The above material was received with a request for confidentiality. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of Records and Reporting and to the Division of Appeals.

Please read each of the following and check if applicable.



The document(s) is (are), in fact, what the utility asserts it (them) to be.



The utility has provided enough details to perform a reasoned analysis of its request.



The material has been received incident to an inquiry.



The material is confidential business information because it includes:

(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 company to contract for services on favorable terms;

(e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;

(f) Tax returns or tax-related information;

(g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.



The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.



The material appears not to be confidential in nature.



The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by: Elisabeth Drape

Date: 9/25/01

cc: APP PAI
 CMP RAR
 ECR RGO
 LEG SER