

Diamond Williams

100001-EI

From: Marchman, Vickie L. [VLMARCHM@southernco.com]
Sent: Wednesday, October 27, 2010 2:20 PM
To: Filings@psc.state.fl.us
Subject: Gulf Power Company's Extended Request for Confidential Class regarding Gulf's RMP date Sept 2, 2008 and Gulf's Response to Staff's Fifth Request for POD No. 19
Attachments: Extend Req for Conf class for RMP and 5th POD No 19 10-27-10.pdf

A. s/Susan D. Ritenour
 Gulf Power Company
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B. Docket No. 100001-EI

C. Gulf Power Company

D. Document consists of 6 pages.

E. The attached is Gulf Power Company's Extended Request for Confidential Class regarding Gulf's RMP date Sept 2, 2008 and Gulf's Response to Staff's Fifth Request for POD No. 19

Vickie Marchman

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COM ___
 APA ___
 ECR I
 GCL I
 RAD ___
 SSC ___
 ADM ___
 OPC ___
 CLK Peña

___ CLAIM OF CONFIDENTIALITY
 ___ NOTICE OF INTENT
 Extended REQUEST FOR CONFIDENTIALITY
 ___ FILED BY OPC
 FOR DN 08587-08 & 09471-08 , WHICH
 IS IN LOCKED STORAGE. YOU MUST BE
 AUTHORIZED TO VIEW THIS DN. - CLK

DOCUMENT NUMBER: 00127

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FPSC-COMMISSIONER'S OFFICE

10/27/2010

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October 27, 2010

Ms. Ann Cole, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Dear Ms. Cole:

RE: Docket No. 100001-EI

Enclosed is Gulf Power Company's Extended Request for Confidential Classification regarding Gulf's Risk Management Plan dated September 2, 2008 and Gulf's Response to Staff's Fifth Request for Production of Documents No. 19.

Sincerely,

Susan D. Ritenour

vm

Enclosures

cc: Beggs & Lane
Jeffrey A. Stone, Esq.

DOCUMENT NUMBER DATE
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: **Fuel and Purchased Power Cost**)
Recovery Clause with Generating)
Performance Incentive Factor)

Docket No.: 100001-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by electronic mail this 27th day of October, 2010, on the following:

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BEFORE THE PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchased power cost
recovery clause and generating performance
incentive factor

Docket No.: 100001-EI
Date filed: October 27, 2010

REQUEST FOR EXTENDED CONFIDENTIAL CLASSIFICATION

GULF POWER COMPANY ["Gulf Power", "Gulf", or the "Company"], by and through its undersigned attorney and pursuant to Rule 25-22.006, Florida Administrative Code, hereby files its request that the Florida Public Service Commission (the "Commission") enter an order granting extended confidential classification for certain documents submitted in connection with the Commission's 2008 fuel and purchased power cost recovery proceedings in Docket No. 080001-EI. As grounds for this request, the Company states:

1. On August 1, September 12, October 6, 10, and 17, 2008, Gulf filed requests for confidential classification of Document Nos. 06790-08, 08587-08, 09471-08, 09696-08 and 09942-08, respectively. Specifically, on August 1, 2008 Gulf requested confidential classification of certain highlighted information contained in portions of Schedule CCE-4 of Exhibit RWD-2 to Richard W. Dodd's direct testimony (Document No. 06790-08). On September 12, 2008, Gulf requested confidential classification of certain highlighted information contained in Gulf's Risk Management Plan for Fuel Procurement (Document No. 08587-08 (x-ref. Document No. 08004-08)). On October 6, 2008, Gulf requested confidential classification of certain highlighted information contained in its Response to Staff's Fifth Request for Production of Documents No. 19 (Document No. 09471-08). On October 10, 2008, Gulf requested confidential classification of certain highlighted information contained in portions of its response to Staff's Fourth Set of Interrogatories No. 16 (Document No. 09696-08). On October 17, 2008,

DOCUMENT NUMBER DATE

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FPSC-COMMISSIONER'S OFFICE

Gulf requested confidential classification of certain highlighted information contained in its response to Staff's Sixth Set of Interrogatories No. 74 (Document No. 09942-08).

2. On April 30, 2009, the Commission entered a consolidated order granting each of the above-referenced confidentiality requests. See, Order No. PSC-09-0284-CFO-EI

3. As provided in section 366.093(4), Florida Statutes, and by the Commission's Order, the confidential documents will be made public after a period of 18 months unless Gulf or another affected party shows, and the Commission finds, that the confidential documents continue to contain proprietary confidential business information. The 18-month extension period expires on October 30, 2010.

4. Gulf hereby requests that the Commission enter an order extending the confidential classification of the information contained in Document Nos. 08587-08 and 09471-08, for an additional 18-month period.

5. Document No.08587-08 contains confidential portions of Gulf's Risk Management Plan for Fuel Procurement (the "RMP"). The subject portions of Gulf's RMP are entitled to continued confidential classification for the same reasons that they were initially classified. As stated in Gulf's initial Request, Gulf's RMP contains, in a single resource, detailed information about Gulf's fuel procurement strategy, including technology selection criteria, for the near term and into the future. Gulf Power and the other market participants for fuel, fuel transportation and fuel storage consider this detailed information to be competitively sensitive. The document discusses how Gulf manages its fuel procurement with specific details regarding Gulf's fuel needs, market position, and trends it sees in those markets in which it addresses its fuel needs. In addition, the fuel procurement strategy utilized by Gulf is discussed in detail. Pricing information is also included in this document. Similar information is not made

public by other fuel market participants. Making this information public would give these other market participants a competitive advantage over Gulf which would prevent Gulf from procuring its fuel needs in a manner that secures the best price and terms for its customers. Because disclosure of the confidential information would cause irreparable harm to Gulf's competitive interests and its impair ability to enter into terms favorable to its customers, the information is entitled to confidential treatments pursuant to section 366.093(3)(e), Florida Statutes.

6. Document No. 09471-08 contains four separate coal supply agreements between Gulf and various counterparties. These agreements are still in effect and are entitled to continued confidential classification for the same reasons that they were initially classified. As stated in Gulf's initial Request, these contracts contain confidential pricing information and are subject to confidentiality provisions. Disclosure of these agreements may result in potential counterparties refusing to enter into contracts with Gulf or charging higher prices, thus negatively impacting Gulf's ability to negotiate pricing favorable to its customers in the future. These agreements constitute proprietary confidential business information regarding contractual matters, the disclosure of which would cause irreparable harm to Gulf, its customers, and the entities with whom it has entered into contracts and are therefore entitled to confidential treatments pursuant to section 366.093(3)(d) and (e), Florida Statutes.

7. The information filed pursuant to this Request is intended to be, and is treated as, confidential by Gulf Power and, to this attorney's knowledge, has not been otherwise publicly disclosed.

8. The confidential materials are attached as Exhibit "A," to Gulf's first request for confidential classification and are identified as Document Nos. 08587-08 and 09471-08.

WHEREFORE, Gulf Power Company respectfully requests that the Commission enter an order protecting the information contained in Document Nos. 08587-08 and 09471-08 from public disclosure for an additional period of eighteen (18) months.

Respectfully submitted this 27th day of October, 2010.



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