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COMMISSION
CLERK



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11:03

September 16, 2011

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

claim of confidentiality
noted at work
 request for confidentiality
filed by OPC

For DN 06775-11, which
is in sealed envelope. You must be
authorized to view this DN-CLK

Dear Ms. Cole:

RE: Docket No. 110138-EI

Enclosed is an original and seven copies of Gulf Power Company's Request for Confidential Classification pertaining to certain portions of Gulf's response to Staff's Sixth Request for Production of Documents (Nos. 20-23), Staff's Seventh Request for Production of Documents (Nos. 24-34) and Staff's Seventh Set of Interrogatories to Gulf Power (Nos. 91-108). In addition to the DVD labeled as Exhibit "A", enclosed is a separate DVD containing a copy of Gulf Power's Request for Confidential Classification and Exhibit "B" in Microsoft Word format as prepared on a Windows XP operating system.

Sincerely,

Susan D. Ritenour

mw

- COM
- APA
- ECR**
- GCL
- RAD
- SRC
- ADM
- OPC
- CLK

Enclosures

2+1 CD containing request in MS Word.

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

DOCUMENT NUMBER-DATE

06774 SEP 20 =

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for increase in rates
by Gulf Power Company

Docket No.: 110138-EI
Date: September 16, 2011

REQUEST FOR CONFIDENTIAL CLASSIFICATION

GULF POWER COMPANY ["Gulf Power", "Gulf", or the "Company"], by and through its undersigned attorneys and pursuant to Rule 25-22.006, Florida Administrative Code, hereby requests that the Florida Public Service Commission enter an order protecting from public disclosure certain information produced in response to Commission Staff's Sixth Request for Production of Documents (Nos. 20-23) ("Sixth Document Request") and Seventh Request for Production of Documents (Nos. 24-34) ("Seventh Document Request") and Seventh Interrogatories to Gulf Power (Nos. 91-108) (collectively, the "Discovery Requests"). As grounds for this request, the Company states:

1. On August 17, 2011, Commission Staff served Gulf Power with the Discovery Requests. Gulf Power is submitting its responses to the Discovery Requests in electronic format on equal date with this Request for Confidential Classification. A portion of Gulf's responses to the Discovery Requests contains proprietary confidential business information as defined pursuant to section 366.093(3), Florida Statutes. The files containing confidential information have been segregated and transferred to a separate DVD which is being submitted as Exhibit "A" to this Request for Confidential Classification. Exhibit "A" should be treated as confidential pending a ruling on this request. Excepting situations where a file is confidential in its entirety, confidential information has been highlighted in yellow.

Staff's Sixth Document Request

2. A portion of the information provided in response to Document Request No. 20 and Document Request No. 21 constitutes proprietary confidential business information as

defined pursuant to section 366.093(3)(a) and (e), Florida Statutes. Specifically, the confidential information consists of a functioning electronic version of the model used to develop Gulf Power's cost of service study in this proceeding. While the outputs of the cost of service study are not themselves confidential, the functioning model and its underlying logic are. The Southern Company and its affiliates have expended significant resources in developing the model for use in the course of business. The model has not been publicly disclosed, is of value to Gulf Power's and its affiliates' business and would provide an economic advantage to Gulf Power's competitors in the event of public disclosure. The model is protected by copyright laws and international treaty provisions.

3. A portion of the information provided in response to Document Request No. 23 constitutes proprietary confidential business information as defined pursuant to section 366.093(3)(a) and (e), Florida Statutes. Specifically, the confidential information consists of six documents which set forth Gulf Power's and the Southern Company's internal standards and specifications for underground distribution construction, overhead distribution construction, voltage flicker control and use/operation of the Southern Company Engineering Toolkit (SOCKET). The documents are considered proprietary by Gulf Power and represent the Company's best practices for operating its system. Public disclosure of this information will provide Gulf's competitors with access to the Company's internal procedures and the specifications of its facilities. Gulf's competitors could use this information to optimize their own systems at Gulf Power's expense. Similar Gulf Power documents were granted confidential classification in Order No. PSC-06-0427-CFO-EI and Order No. PSC-08-0048-CFO-EI.

Staff's Seventh Document Request

4. A portion of the information provided in response to Document Request No. 29 constitutes proprietary confidential business information as defined pursuant to section

366.093(3)(d)-(e), Florida Statutes. Two files, labeled as “Attachment B” and “Attachment C” contain contractual pricing data for fuel purchases by Gulf Power. Gulf Power and the counterparties involved in these transactions consider this information to be confidential. Disclosure of this information would impair the efforts of Gulf Power to contract for goods and services on favorable terms. Disclosure of this information would negatively impact Gulf’s ability to negotiate pricing favorable to its customers in the future. In addition, potential counterparties may refuse to enter into future contracts with Gulf, or may charge higher prices, if the information was made public.

5. A portion of the information provided in response to Document Request No. 30 constitutes proprietary confidential business information as defined pursuant to section 366.093(3)(a) and (e), Florida Statutes. Specifically, the confidential information consists of a document titled Southern Company Services, Inc. Fuel Services Natural Gas and Fuel Oil Policy. This policy document reflects Gulf Power’s and the Southern Company’s fuel procurement strategy and internal operating procedures for purchasing, storing, handling and transportation of natural gas and fuel oil. The document is considered proprietary by Gulf Power and represents the Company’s best practices for procuring, storing, handling and transporting natural gas and fuel oil. Public disclosure of this information will provide Gulf’s competitors with access to the Company’s internal procedures and the specifications of its facilities. Gulf’s competitors could use this information to optimize their own practices at Gulf Power’s expense. Similar Gulf Power documents were granted confidential classification in Order No. PSC-06-0427-CFO-EI and Order No. PSC-08-0048-CFO-EI.

6. A portion of the information provided in response to Document Request No. 33 constitutes proprietary confidential business information as defined pursuant to section

366.093(3)(d) and (e), Florida Statutes. This response includes copies of coal purchase orders between Gulf Power, Mississippi Power and various counterparties. These purchase orders contain pricing terms, quality specifications, banking information and contact information which are considered confidential by Gulf Power, Mississippi Power and the counterparties.

Disclosure of this information would negatively impact Gulf's ability to negotiate pricing favorable to its customers in the future. In addition, potential counterparties may refuse to enter into future contracts with Gulf, or may charge higher prices, if the confidential information contained in the purchase orders is publicly disclosed.

Staff's Seventh Interrogatories

7. A portion of the information provided in response to Interrogatory No. 98 constitutes proprietary confidential business information as defined pursuant to section 366.093(3)(d) and (e), Florida Statutes. Specifically, this response includes pricing for coal under Gulf Power's 2012 coal supply agreements. Disclosure of this information would impair the efforts of Gulf Power to contract for goods and services on favorable terms. Gulf Power and the counterparties involved in these transactions consider the pricing information to be confidential. Disclosure of this information would negatively impact Gulf's ability to negotiate pricing favorable to its customers in the future. In addition, potential counterparties may refuse to enter into future contracts with Gulf, or may charge higher prices, if the pricing terms are made public.

8. 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.

9. Attached as Exhibit "B" to this request is a line-by-line/field-by-field justification for Gulf's Request for Confidential Classification.

WHEREFORE, Gulf Power Company respectfully requests that the Commission enter an order protecting the information contained in Exhibit "A" from public disclosure as proprietary confidential business information.

Respectfully submitted this 16th day of September, 2011.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for increase in rates
by Gulf Power Company
_____)

Docket No.: 110138-EI
Date: September 16, 2011

REQUEST FOR CONFIDENTIAL CLASSIFICATION

EXHIBIT "A"

Provided to the Commission Clerk
under separate cover as confidential information.

EXHIBIT "B"

Line-by-Line/Field-by-Field Justification

Line(s)/Field(s)

Justification

Staff's Sixth Document Request

Request Number 20

Within the file titled
"STAFF POD 20 With MDS COSS conf"
the tab titled, "STUDY" is confidential
in its entirety.

This information is entitled to confidential
classification pursuant to §366.093(3)(a)
and (e), Florida Statutes. The basis for
this information being designated as
confidential is more fully set forth in
paragraph 2.

Within the file titled
"STAFF POD 20 WITHOUT MDS COSS conf"
the tab titled, "STUDY" is confidential
in its entirety.

Request Number 21

Within the file titled
"STAFF POD 21 COSS Without MDS conf"
The tab titled, "STUDY" is confidential
in its entirety.

This information is entitled to confidential
classification pursuant to §366.093(3)(a)
and (e), Florida Statutes. The basis for
this information being designated as
confidential is more fully set forth in
paragraph 2.

Request Number 23

Six files titled:

Entire Conf. SoCo Underground.pdf
Entire Conf. SoCo Overhead.pdf
Entire Conf. Socket User Guide.pdf
Entire Conf. Gulf Specific Underground.pdf
Entire Conf. Gulf Specific Overhead.pdf
Entire Conf. Flicker Policy Revision 2007.pdf
(Confidential in their entirety)

This information is entitled to confidential
classification pursuant to §366.093(3)(a)
and (e), Florida Statutes. The basis for
this information being designated as
confidential is more fully set forth in
paragraph 3.

Staff's Seventh Document Request

Request Number 29

File titled "POD 29 Attachment B"

Tab titled-- "2012 purchases."

Column G, lines 9-33, 42-101,
111-125 and 134-145.

Column K, lines 9-34, 42-102,
111-126, 134-146.

Column L, lines 9-34, 42-102,
111-126, 134-146.

Column V, lines 9-20

File titled "POD 29 Attachment C"

Tab titled "Purchase (ton)"

Column M, lines 17-515

Columns P-AD, lines 17-515

Columns AE-AF, lines 130-189,
312-336, 370-381, 473-487

File titled "POD 29 Attachment C"

Tab titled "Coal Summary"

Column M, lines 10-69, 73-87,
91-102 and 106-130.

Columns P-AD, lines 10-69, 73-87,
91-102 and 106-130.

Columns AE-AF, lines 10-70,
73-88, 91-103, 106-131.

Request Number 30

File titled "Staff POD 30," document
titled "Natural Gas and Fuel Oil Policy"
(Confidential in its entirety)

This information is entitled to confidential classification pursuant to §366.093(3)(d) and (e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 4.

This information is entitled to confidential classification pursuant to §366.093(3)(a) and (e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 5.

Request Number 33

File titled "STAFF POD ATTACHMENT 33"

Page 33-1, lines 1-5

Page 33-2, lines 1-8

Page 33-3, lines 1-5

Page 33-4, lines 1-5

Page 33-5, lines 1-7

Page 33-6, lines 1-4

Page 33-7, lines 1-9

Page 33-9, lines 1-3

Page 33-10, lines 1-7

Page 33-11, lines 1-5

Page 33-12, lines 1-7

Page 33-13, lines 1-4

Page 33-14, lines 1-6

Page 33-15, lines 1-3

Page 33-16, lines 1-7

Page 33-17, lines 1-6

This information is entitled to confidential classification pursuant to §366.093(3)(d) and (e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 6.

Staff's Seventh Interrogatories

Interrogatory Number 98

File titled "Staff ROG 98 highlighted"

Page 3, column titled "price per ton," lines 1-12.

This information is entitled to confidential classification pursuant to §366.093(3)(d) and (e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 7.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Increase in Rates)
by Gulf Power Company)
)
)
_____)

Docket No. 110138-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by overnight delivery the 16th day of September, 2011, on the following:

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