Terry A. Davis Assistant Secretary and Assistant Treasurer

One Energy Place Pensacola, Florida 32520-0786

Tel 850.444.6664 Fax 850.444.6026 TADAVIS@southernco.com

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FPSC-COMMISSION CLERK

November 23, 2011

claim of confidentiality notice of intent request for confidentiality filed by OPC

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For DN O8 6 30-11, which is in locked storage. You must be authorized to view this DN.-CLX.

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

Dear Ms. Cole:

RE: Docket No. 110001-EI

Enclosed is Gulf Power Company's Request for Confidential Classification for Gulf Power Company's Form 423-2 for September, 2011.

Sincerely, every a. Dairos

nm

COM \_\_\_\_ Enclosures APA \_\_\_\_ Enclosures APA \_\_\_\_\_ Enclosures ECR \_\_\_\_\_ IHCU containing request and exhibit ( GCL \_\_\_\_\_ Jeffrey A. Stone, Esq. RAD \_\_\_\_\_ SRC \_\_\_\_\_ ADM \_\_\_\_\_ OPC \_\_\_\_ CLK \_\_\_\_

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No.: 110001-EI Date: November 23, 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 files a request that the Florida Public Service Commission enter an order protecting from public disclosure certain information submitted by Gulf Power on its FPSC Form 423 Fuel Report for the month of September, 2011 (the "423 Report"). As grounds for this request, the Company states:

1. A portion of the information contained in Gulf Power's 423 Report constitutes proprietary confidential business information concerning bids and other contractual data, the disclosure of which would impair the efforts of Gulf Power to contract for goods and services on favorable terms. The information is entitled to confidential classification pursuant to section 366.093(3)(d) and(e), Florida Statutes. Specifically, the confidential information consists of pricing for coal and related transportation services purchased by Gulf Power. Gulf Power and the counterparties involved in these transactions consider the foregoing information to be confidential and competitively sensitive. Disclosure of this information could 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 is publicly disclosed.

2. To this attorney's knowledge, the pricing information regarding shipments in this month's report has not been otherwise publicly disclosed. This information is intended to be, and is treated as, confidential by Gulf Power.

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3. Submitted as Exhibit "A" are copies of the subject documents, on which are highlighted the information for which confidential classification is requested. Exhibit "A" should be treated as confidential pending a ruling on this request. Attached as Exhibit "B" are two (2) edited copies of the subject documents, which may be made available for public review and inspection. Attached as Exhibit "C" to this request is a line-by-line/field-by-field justification for the request for confidential classification.

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

Respectfully submitted this 23rd day of November, 2011.

JEFFREY A. STONE Florida Bar No. 325953 RUSSELL A. BADDERS Florida Bar No. 007455 STEVEN R. GRIFFIN Florida Bar No. 0627569 Beggs & Lane P. O. Box 12950 Pensacola, FL 32591 (850) 432-2451 Attorneys for Gulf Power Company

### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No.: 110001-EI Date: November 23, 2011

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# **REQUEST FOR CONFIDENTIAL CLASSIFICATION**

## EXHIBIT "A"

This information has been provided to the Commission Clerk

under separate cover as confidential information.