Robert L. McGee, Jr. Regulatory & Pricing Manager One Energy Place Pensacola, Florida 32520-0780

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February 28, 2013

# REDACTED

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

RE: Docket No. 130001-EI

\* 1

Dear Ms. Cole:

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

For DN <u>Olo80-13</u>, which is in locked storage. You must be authorized to view this DN.-CLK

COMMISSION

13 MAR - I ANII: 35

Enclosed is an original and seven copies of Gulf Power Company's Request for Confidential Classification pertaining to Schedule 2 of Exhibit HRB-1 to the Direct Testimony of Herbert R. Ball dated March 1, 2013.

Sincerely,

Robert L. McGee, Jr.

Regulatory and Pricing Manager

md

**Enclosures** 

Beggs & Lane

Jeffrey A. Stone, Esq.

DOCUMENT NUMBER-DATE

01079 MAR-12

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No.: 130001-EI Date: March 1, 2013

### REQUEST FOR 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 enter an order protecting from public disclosure certain information contained in Schedule 2 of Exhibit HRB-1 to the Direct Testimony of Herbert R. Ball dated March 1, 2013. As grounds for this request, the Company states:

- 1. A portion of the information contained in Schedule 2 of Exhibit HRB-1 to the Direct Testimony of Herbert R. Ball dated March 1, 2013 constitutes proprietary and commercially sensitive information regarding competitive interests and contractual matters of Gulf Power, which, if disclosed to the general public, would cause irreparable harm to Gulf Power. This information is entitled to confidential classification pursuant to section 366.093(3)(d) and (e), Florida Statutes. Schedule 2 contains price terms for Gulf Power's coal purchases in 2012. Gulf and other members of the market in which it competes consider such pricing information to be competitively sensitive. Disclosure of this information would adversely affect Gulf's ability to conduct its coal procurement activities to the benefit of its customers. Disclosure of such cost information would also impair Gulf's ability to enter into future contracts for the benefit of its customers.
- The information filed pursuant to this Request is intended to be, and is treated as confidential by Gulf Power and, to the best of this attorney's knowledge, has not been otherwise publicly disclosed.

DOCUMENT NUMBER-DATE

0 1 0 7 9 MAR -1 2

FPSC-COMMISSION CLERK

3. Submitted as Exhibit "A" is one (1) copy of Schedule 2, on which is 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 Schedule 2 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 28th day of February, 2013.

JEFFREY A. STONE

Florida Bar No. 325953

**RUSSELL A. BADDERS** 

Florida Bar No. 007455

STEVEN R. GRIFFIN

Florida Bar No. 0627569

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Pensacola, FL 32591

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**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.:

130001-EI

Date:

March 1, 2013

## REQUEST FOR CONFIDENTIAL CLASSIFICATION

### EXHIBIT "A"

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

## EXHIBIT "B"

# REDACTED

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DOCUMENT NUMBER-DATE

01079 MAR-12

FPSC-COMMISSION CLERK



## Gulf Contract Coal Supply Data from FPSC 423

1 2 3 4 5	Supplier American Coal Company Foresight Coal Sales Oxbow Carbon Patriot Coal Sales, LDC West Ridge Resources Weighted Average Price	Plant Crist Crist Crist Crist Crist Crist Crist Crist	Shipped Quantity (tons) 255,740 377,879 214,932 298,405 22,470 1,169,426	Actual Average Heating Value 11884 11717 12120 11938 11993	Weighted Avg Price \$/MMBTU)  \$4.074
7 8 9 10	Interocean Coal Sales Oxbow Carbon Patriot Coal Sales, LDC Weighted Average Price Weighted Average Price	Smith Smith Smith Smith	102,231 39,158 239,035 380,424	11220 12502 11954 11813	\$5.245 N/A

DOCUMENT NUMBER-DATE

01079 MAR-12

FPSC-COMMISSION CLERK

Docket No. 130001-EI 2012 Final True-Up Filing Exhibit HRB-1, Page 2 of 5 Schedule 2, Page 1 of 2

## **Gulf Contract Coal Supply Data from FPSC 423**

1 2 3 4	Twentymile Coal Co. Rio Tinto Oxbow Carbon Weighted Average Price	Daniel (Gulf 50%) Daniel (Gulf 50%) Daniel (Gulf 50%) Daniel (Gulf 50%)	326,140 48,124 94,546 <b>468,811</b>	11186 8807 12146 <b>11135</b>	\$4.841
	•		400,011	11135	<b>\$4.84</b> 1

## **Gulf Spot Coal Supply Data from FPSC 423**

5 <b>6</b>	<u>Supplier</u> None Weighted Average Price	<u>Plant</u> None	Shipped <u>Quantity (tons)</u> 0	Guaranteed <u>Heating Value</u> N/A	Weighted Avg Price \$/MMBTU) N/A N/A
	<del>-</del>	·			N/A

### **EXHIBIT C**

## **Line-by-Line/Field-by-Field Justification**

## Line(s)/Field(s)

Schedule 2 Page 1 of 2 Lines 1-5, 7-9, Column A

Page 2 of 2 Lines 1-3, Column A

## **Justification**

This information is entitled to confidential classification pursuant to section 366.093(3)(d) and (e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 1.

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power Cost	)
Recovery Clause with Generating	)
Performance Incentive Factor	Docket No.: 130001-El

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing was furnished by U. S. mail this 28th day of February, 2013 to the following:

Ausley Law Firm James D. Beasley J. Jeffry Wahlen Post Office Box 391 Tallahassee, FL 32302 ibeasley@ausley.com Brickfield Law Firm James W. Brew F. Alvin Taylor Eighth Floor, West Tower 1025 Thomas Jefferson St, NW Washington, DC 20007 jbrew@bbrslaw.com Federal Executive Agencies Captain Samuel Miller USAF/AFLOA/JACL/ULFSC 139 Barnes Drive, Suite 1 Tyndall AFB, FL 32403-5319 Samuel.Miller@Tyndall.af.mil

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