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COMMISSION CLERK



May 20, 2014

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

RE: Docket No. 140001-EI

Dear Ms. Stauffer:

Enclosed is Gulf Power Company's Request for Confidential Classification regarding certain information submitted by Gulf Power in connection with Commission Staff's audit in the above referenced docket (ACN14-027-1-2). Also enclosed is a CD containing Gulf's Request for Confidential Classification as well as Exhibit C in Microsoft Word as prepared on a Windows based computer.

Regards,

Robert L. M. L.J.

Robert L. McGee, Jr. Regulatory and Pricing Manager

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Enclosures

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



#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

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Docket No.: 140001-EI Date: May 21, 2014

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#### **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 this request that the Florida Public Service Commission enter an order protecting from public disclosure certain documents produced by Gulf Power in connection with a review of Gulf Power's 2013 capacity expenditures in the above-referenced docket (ACN 14-027-1-2) (the "Review"). As grounds for this request, the Company states:

1. A portion of the information submitted by Gulf Power in connection with the Review 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.<sup>1</sup> 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 information for capacity purchases between Gulf Power and various counterparties. This information is regarded by both Gulf and the counterparties as confidential. The pricing, which resulted from negotiations with Gulf and the counterparties, is specific to individual contracts and is not publicly known. Disclosure of this information would negatively impact Gulf's ability to negotiate pricing favorable to its customers in future

<sup>&</sup>lt;sup>1</sup> The confidential materials addressed in this request represent a subset of staff's workpapers. Confidential workpapers are identified in Exhibit "C" of this request. Any pages not identified on Exhibit "C" are not considered confidential by the Company.

contracts. In addition, potential counterparties may refuse to enter into contracts with Gulf, or may charge higher prices, if the price terms were made public.

2. 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.

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 20th day of May, 2014.

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

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Docket No.: 140001-EI Date: May 21, 2014

## **REQUEST FOR CONFIDENTIAL CLASSIFICATION**

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### EXHIBIT "A"

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