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December 1, 2016

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

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2015 DEC -2 AM 9:56
COMMISSION
CLERK

RE: Docket No. 160186-EI

Dear Ms. Stauffer:

Enclosed for filing in the above-referenced docket is Gulf Power Company's Amended Request for Confidential Classification pertaining to certain portions of Gulf's response to Citizens' Second Set of Interrogatories (Nos. 35-74) and Citizens' Second Request to Produce Documents to Gulf Power Company (Nos. 74-87). Also enclosed is a copy of Gulf Power's Amended Request for Confidential Classification and Exhibit "A" which is a justification for confidential treatment of the Confidential Information in Microsoft Word format. Exhibit "B" which contains a public version of the documents with the Confidential Information redacted is included on a separate DVD. A copy of the confidential documents are provided on a separate DVD labeled "Confidential."

Sincerely,

C. Shane Boyett for

Robert L. McGee, Jr.
Regulatory and Pricing Manager

REDACTED

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Enclosures

cc: Beggs & Lane
Jeffrey A. Stone, Esq.
Gunster Law Firm
Charles A. Guyton, Esq.
Richard A. Melson, Esq.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for rate increase by Gulf
Power Company.

Docket No. 160186-EI
Dated: December 2, 2016

**GULF POWER COMPANY'S AMENDED
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

Gulf Power Company ("Gulf Power," "Gulf," or the "Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby submits this amended request for confidential classification of certain documents and information produced in Response to Citizens' Second Request to Produce Documents to Gulf Power Company (Nos. 74-87) and Citizens' Second Set of Interrogatories to Gulf Power Company (Nos. 35-74) (collectively "OPC's Discovery"). Confidential information submitted in response to OPC's Discovery has been segregated and placed upon the enclosed DVD bearing the label "CONFIDENTIAL" ("Confidential Information"). This DVD should be treated as confidential in its entirety.

Description of the Document(s)

This amended request supplements and replaces Gulf's prior Request for Confidential Classification and Motion for Temporary Protective Order, filed December 1, 2016 (the "December 1 Request"). In the December 1 Request, Gulf sought confidential classification and a temporary protective order for files produced in response to OPC's Second Request to Produce Documents numbers 76 and 81. However, Gulf has now discovered that it inadvertently omitted a file from the December 1 Request that requires confidential treatment and should have been included in the December 1 Request. Specifically, the omitted confidential information is responsive to Interrogatory number 73 of Citizens' Second Set of Interrogatories to Gulf Power

Company (Nos. 35-74). Gulf respectfully requests that Commission grant this additional information confidential classification and a temporary protective order.

The Confidential Information consists of multiple PDF files produced in response to Document Request numbers 76 and 81, and pages 2 through 6 in response to Interrogatory number 73. These documents are identified with specificity on Exhibit "A" to this Request. In support of this request, the Company states:

1. Subsection 366.093(1), Florida Statutes, provides that any records "found by the Commission to be propriety confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records Act]." Proprietary confidential business information includes, but is not limited to "[i]nformation concerning . . . contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." Subsection 366.093(3)(d), Florida Statutes. Proprietary confidential business information also includes "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." Section 366.093(3)(e), Florida Statutes. The Confidential Information that is the subject of this request and motion falls within the statutory categories and, thus, constitutes propriety confidential business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

2. Attached hereto as Exhibit "A" is a justification for confidential treatment of the Confidential Information.

3. Attached hereto is a DVD labeled Exhibit "B" containing public versions of the Document(s) with the Confidential Information redacted, unless previously filed as indicated.

4. The Confidential Information is intended to be and is treated by Gulf Power as private and, to this attorney's knowledge, has not been publicly disclosed.

5. For the same reasons set forth herein in support of its request for confidential classification, Gulf Power also moves the Commission for entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

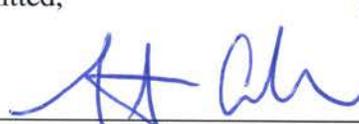
Requested Duration of Confidential Classification

6. Gulf Power requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period prescribed in Rule 25-22.006(9)(a), Florida Administrative Code. If, and to the extent that the Company is in need of confidential classification of the Confidential Information beyond the 18 month period set forth in the Commission rule, the justification and grounds for such extended confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Gulf Power Company respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein and for a minimum period of 18 months, subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request and motion. The company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

DATED this 1st day of December, 2016.

Respectfully submitted,



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EXHIBIT "A"

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF
PORTIONS OF GULF POWER'S RESPONSES
TO OPC'S SECOND REQUEST TO PRODUCE DOCUMENTS (NOS. 74-87)
AND ANSWERS TO OPC'S SECOND SET OF INTERROGATORIES (NOS. 35-74)**

<u>POD Request No.</u>	<u>Bates Pages or File Names</u>	<u>Detailed Description</u>	<u>Rationale</u>
76	LTE – POD 76 CONF	Entire document	(1)
81	OPC POD 81_CONF	All highlighted information	(2)

<u>ROG Request No.</u>	<u>Bates Pages or File Names</u>	<u>Detailed Description</u>	<u>Rationale</u>
73	OPC_ROG_073 highlighted	All highlighted information	(3)

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- (1) The information identified on the listed pages/files describes a business case for modifications to the Southern LINC telecommunications system, which is owned by SouthernLINC Wireless and provides vital telecommunications services for Gulf Power and other operating companies within the Southern Electric system. The document describes Southern LINC's existing system and strategies and tactics for improving the system. The document further describes the advantages and operational needs of the system and technology and incorporates specific examples of operational situations. It provides an analysis of future options for the Southern Company with regard to its telecommunications needs. The disclosure of this information would be harmful to Gulf's competitive interests as well as that of its business partners, and as such, the information is entitled to confidential classification pursuant to Section 366.093(3)(e), Florida Statutes.
- (2) The information identified on the listed pages/files contains confidential contracts and terms between Gulf (and/or its counsel) and outside consultants. This information is regarded by both Gulf and the counterparties as confidential. The information, which resulted from negotiations with the counterparties, is specific to individual contracts and is not publicly known. Disclosure of this information would negatively impact Gulf's ability to negotiate contract terms favorable to its customers in future contracts. In addition, potential counterparties may refuse to enter into contracts with Gulf, or may charge higher prices, if the information is publicly disclosed. The disclosure of this information would therefore be harmful to Gulf's competitive interests, and as such, the information is entitled to confidential classification pursuant to Section 366.093(3)(d) and (e), Florida Statutes.

- (3) The information identified on the listed pages/files contains allocation factors for affiliate transactions. These factors could be used by competitors of Gulf to gain confidential details regarding the Company's internal cost allocation methodologies. These methodologies have been developed over time and through the expenditure of significant resources. Access to such methodologies would bestow on competitors of the Company an unfair advantage to the extent that such competitors would not similarly be required to expend such resources to develop similar methodologies. This would, in turn, confer an unfair advantage on such companies. In addition, access to the information would provide insight into the costs of the Company, which could also undermine the Company's position. The Company's competitors are not similarly required to disclose such information and access to such cost information would harm the Company and could result in competitors manipulating the market by artificially setting prices based on such information. This information is confidential pursuant to section 366.093(3)(d) and (e), Florida Statutes.

PUBLIC VERSION(S) OF THE DOCUMENT(S)

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document(s) with the Confidential Information redacted.

Public Version(s) of the Document(s) attached X

Public Version(s) of the Document(s) previously filed on _____

EXHIBIT "C"

REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION

Gulf Power requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefor is set forth below:

n/a

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

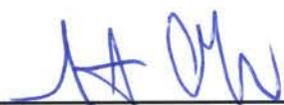
Docket No.: 160186-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by overnight mail this 1st day of December, 2016 to the following:

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