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February 27, 2017

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

RE: Docket No. 160186-EI

Dear Ms. Stauffer:

Attached for filing in the above-referenced docket is Gulf Power Company's Motion for Temporary Protective Order pertaining to certain portions of Gulf's response to Sierra Club's Second Set of Interrogatories (Nos. 15-28) to Gulf Power Company.

Sincerely,

A handwritten signature in blue ink that reads "Robert L. McGee, Jr.".

Robert L. McGee, Jr.
Regulatory and Pricing Manager

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Attachments

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 160186-EI
Dated: February 27, 2017

GULF POWER COMPANY'S
MOTION FOR TEMPORARY PROTECTIVE ORDER

Gulf Power Company ("Gulf"), by and through undersigned counsel, hereby moves pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, for entry of a Temporary Protective Order covering confidential documents and information sought in discovery by Sierra Club within Sierra Club's Second Set of Interrogatories to Gulf Power Company (Nos. 15-28). In support, Gulf states as follows:

1. This Motion pertains to certain proprietary confidential information as defined in Section 366.093, Florida Statutes, which is included within Gulf's Response to Sierra Club's Interrogatory No. 16, and which Gulf is serving upon Sierra Club, the Office of Public Counsel, and others, on the date of this Motion.

2. The confidential information responsive to Sierra Club's Interrogatory No. 16 is contained within a Microsoft Excel spreadsheet. The information contained within this file includes projected environmental control technology costs for Plant Scherer Unit 3. The information derives economic value from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use. Specifically, if the information was revealed to the public, vendors could use the information to tailor proposals according to the Company's expected costs to the detriment of customers. Gulf Power's ability to negotiate the optimum price and contract terms and conditions would be undermined if competitors and suppliers had access to the projections and analysis contained in the information. Also, a generation wholesaler, power marketer, or other

competitor could use this Information to tailor proposals with the intention of pricing products that could undermine the Company's market position. This information is confidential pursuant to Section 366.093(3)(e), Florida Statutes.

3. Section 366.093(2), Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, direct that all records produced pursuant to a discovery request for which proprietary confidential status is requested shall be treated as confidential and shall be exempt from the public records law, Section 119.07(1), Florida Statutes. Gulf, by this motion, is seeking protection of all confidential information that Gulf will share with the Office of Public Counsel ("OPC") within its Response to Sierra Club's Request for Production No. 16. This protection should extend not only to OPC, but also to any consultants or advisors with whom OPC has contracted for purposes of this proceeding. Gulf has recorded the appropriate objections to providing such confidential and proprietary business information, and will provide documents and information responsive to these requests marked as confidential subject to this motion, the law, Commission rules, and Gulf's objections. By following this procedure and producing this information, Gulf is not waiving its right to seek further relief as necessary to make certain that its confidential, proprietary, business information is not publicly disclosed.

WHEREFORE, Gulf Power respectfully requests that the Commission grant a Temporary Protective Order relating to the information described in the body of this motion.

Respectfully submitted this 24th day of February, 2017.



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Attorneys for Gulf Power Company

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 electronic mail this 27th day of February, 2017 to the following:

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