

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: November 14, 2017

TO: Division of Engineering, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 20170227-EI DOCUMENT NO: 09047-2017
DESCRIPTION: GPC (Stone) - (CONFIDENTIAL) Energy Purchase Agreement between Morgan Stanley Capital Group Inc. and GPC.
SOURCE: Gulf Power Company

The above confidential material was filed with a request of confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (d) Information concerning bids or other 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;
 - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Takira Thompson on 11/14/17, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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DATE: November 14, 2017

TO: Stephanie A. Cuello, Attorney, Office of the General Counsel

FROM: Takira T. Thompson, Engineering Specialist, Division of Engineering

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

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Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Gulf Power Company (GPC) requests confidential classification of its Kingfisher I Energy Purchase Agreement (Agreement), included as Exhibit "B" of its petition requesting approval of its Waiver and Scheduling Agreement with Morgan Stanley Capital Group, Incorporated.

GPC requests confidentiality of the same highlighted portions of its Agreement which were previously granted confidential classification in Order No. PSC-15-0193-CFO-EI.¹ As previously done, GPC requests confidentiality under Section 366.093(d), F.S.: "[I]nformation concerning bids or other 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," and Section 366.093(3)(e), F.S.: "[I]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." Staff has reviewed GPC's confidentiality request pertaining to the Agreement and, seeing as the portions highlighted are the same portions that were previously granted confidential classification, staff recommends that this information meets the criteria for confidential classification pursuant to Section 366.093(3)(d) and (e), F.S.

¹Order No. PSC-15-0193-CFO-EI, Docket No. 150059-EI, issued May 11, 2015, *In re: Petition for approval of energy purchase agreement between Gulf Power Company and Morgan Stanley Capital Group Incorporated.*