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September 11, 2013

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

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COMMISSION
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Dear Ms. Cole:

RE: Docket No. 130140-EI

Enclosed for filing in the above referenced docket is Gulf Power Company's Request for Confidential Classification pertaining to certain portions of Gulf's response to Citizen's Second Request to Produce Documents (Nos. 60-66). Enclosed is a copy of Gulf Power's Request for Confidential Classification and Exhibit "A" which is a justification for confidential treatment of the Confidential Information in Microsoft Word format as prepared on a Windows based system. 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,

Robert L. McGee, Jr.
Robert L. McGee, Jr.

md

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 increase in rates
by Gulf Power Company

Docket No.: 130140-EI
Date: September 12, 2013

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

Gulf Power Company ("Gulf Power" or "the Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests confidential classification of certain documents and information produced in Response to Citizens' Second Request to Produce Documents to Gulf Power (Nos. 60-66) ("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)

The Confidential Information consists of multiple Excel spreadsheets and PDF files produced in response to Document Request Nos. 60, 61 and 63. 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 as Exhibit "B" are two 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 11th day of September, 2013.

Respectfully submitted,



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EXHIBIT "A"

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF
HIGHLIGHTED PORTIONS OF GULF POWER'S RESPONSES
TO OPC'S SECOND REQUEST TO PRODUCE DOCUMENTS (NOS. 60-66)**

<u>POD Request No.</u>	<u>Bates Pages or File Names</u>	<u>Detailed Description</u>	<u>Rationale</u>
60	2009 PPA Cost Comparison Monthly Revised 7-12-12 CONF.	All highlighted information	(1)
	2012 CoralBaconton Summary CONF.	All highlighted information	(1)
	2012 Dahlberg Summary CONF.	All highlighted information	(1)
	2012 Tenaska C Alabama Summary CONF.	All highlighted information	(1)
	2012-08-17 Energy Services 2012 Budget CONF.	All highlighted information	(1)
	2013 Budget Cycle LTSA Spreadsheet update for budget final worksheet CONF.	All highlighted information	(1)
	2013 EXEC Worksheets CONF.	All highlighted information	(1)
	2013 GPES revenue by monthly CONF.	All highlighted information	(1)
	2013-2017 Exec Budget Forecast CONF.	All highlighted information	(1)
	40990 2013 Budge Workpapers – CONF.	All highlighted information	(1)
	A&G CAPITALIZED – CONF.	All highlighted information	(2)
	Bates Pages 130140-OPC-POD-60-1 through 130140-OPC-POD-60-3	All highlighted information	(1)
	Bates Page 130140-OPC-POD-60-4	All highlighted information	(1)
	Committed LOC 6-30-12 CONF.	All highlighted information	(1)

	Deferred Credits – 2013 v8 RC Analysis CONF.	All highlighted information	(1)
	Deferred Debits – 2013 v9 RC Analysis Tab CONF.	All highlighted information	(1)
	DirectorsCompBud 2013 Forecast(REV) – CONF.	All highlighted information	(2)
	EPRI 2013 East Sheet 120312 – CONF.	All highlighted information	(4)
	Expansion Plan 2013 v2 CONF.	All highlighted information	(1)
	Interface files – Gulf Update-Rev Jan 18 CONF.	All highlighted information	(1)
	Market Research and Planning Reorganization Sept 1_2012 v5 working CONF.	All highlighted information	(2)
	PE 2813 North Brewton Alligator Swamp 230kV – CONF.	All highlighted information	(3)
	PE 2814 Laguna Beach- Santa Rosa 230kV rev 07-18-10_AFUDC – CONF.	All highlighted information	(3)
	PE 2820 Scenic Hills – CONF.	All highlighted information	(3)
	PE 2821 Crist – Shoal River Loop into Alligator Swamp CONF.	All highlighted information	(3)
	PE 2822 line switch replacement CONF.	All highlighted information	(3)
	PE 2824 Marianna to Alford Tap CONF.	All highlighted information	(3)
	PE 2827 Live Oak – Navarre Insulator Replacement CONF.	All highlighted information	(3)
	PE 2829 Highland City SVC CONF.	All highlighted information	(3)
	PE 2841 Smith Shoal River 230 kV Guyed Y Tower Replacement CONF.	All highlighted information	(3)
	PE 2848 Alligator Swamp cap bank CONF	All highlighted information	(3)

PE 2853 Laguna Beach 230 kV Autobank A#2 rev 07 08 CONF	All highlighted information	(3)
PE 2853-1 Laguna Beach – Holiday OPGW added item CONF	All highlighted information	(3)
PE 2854 Fiber Installation CONF	All highlighted information	(3)
PE 2867 Holmes Creek Highland City rev 7-2-2012 CONF	All highlighted information	(3)
PE 2868 Survey and Transmission Corridor leases CONF	All highlighted information	(3)
PE 2874 Smith – Laguna 115kV Line Conversion to 230 kV rev 11-16-10 AFUDC CONF	All highlighted information	(3)
PE 2890 Solcomb-Holmes Creek 7-21-10 CONF	All highlighted information	(3)
PE 2892 Crist 230 kV cap bank replacement CONF	All highlighted information	(3)
PE 3431 Cantonment Rebuild CONF	All highlighted information	(3)
PE 3432 Airport Conversion CONF	All highlighted information	(3)
PE 3434 Antioch Rd Substation 230 12kV New Sub CONF	All highlighted information	(3)
PE 3453 Dist Breaker Replacement Program CONF	All highlighted information	(3)
PE 3490 Devilliers Rebuild 2015 CONF	All highlighted information	(3)
PE 3497 Norris Rd Substation CONF	All highlighted information	(3)
PE 3702 Circuit Switcher Improvements CONF	All highlighted information	(3)
PE 3735 Ponce and Carryville Conversion to 115kV CONF	All highlighted information	(3)
PE 3748 Fiber Optic Equipment (SGIG) CONF	All highlighted information	(3)

	PE 3753 Holiday 115 12 kV New Sub 2009 Rev CONF	All highlighted information	(3)
	PE 3756 Optical Ground Wire (SGIG)	All highlighted information	(3)
	Prepayments – 2013 – updated Pension accrual 2-14-13 CONF	All highlighted information	(2)
	Regulatory and Pricing budget v16 CONF	All highlighted information	(2)
	Bates Pages 130140-OPC-POD-60-7 and 130140-OPC-POD-60-12	All highlighted information	(2)
	Rental Revenue – 2013 CONF	All highlighted information	(1)
	Bates Page 130140-OPC-POD-60-13	All highlighted information	(1)
	Scherer3-Flint-50MW-cost-components-Gulf Update-January 2013-Summary CONF.	All highlighted information	(1)
	Shell PPA Capacity Rates_Payments_revised 10-9-12 CONF.	All highlighted information	(1)
	Shell PPA Capacity_2013 v2 CONF.	All highlighted information	(1)
	Bates Pages 130140-OPC-POD-60-21 through 130140-OPC-POD-60-23	All highlighted information	(2)
	Bates Pages 130140-OPC-POD-60-28 through 130140-OPC-POD-60-30	All highlighted information	(1)
	Bates Page 130140-OPC-POD-60-31	All highlighted information	(1)
	Wholesale Model – 2013 EBUD – Gulf Detail CONF.	All highlighted information	(1)
61	OPC POD 61_Performance Pay Program	All highlighted information	(2)
63	2012-08-17 Energy Services 2012 Budget CONF	All highlighted information	(2)
	2013 Budget Employee Count CONF	All highlighted information	(2)
	2013 Gulf Performance Pay Budget-Release 3 CONF	All highlighted information	(2)

	2013 Headcount Research for Power Delivery CONF	All highlighted information	(2)
	Bates Page 130140-OPC-POD-63-1	All highlighted information	(2)
	Bates Page 130140-OPC-POD-63-2	All highlighted information	(2)
	Bates Page 130140-OPC-POD-63-3	All highlighted information	(2)
	092912 Special Salary Adjustment – CCC CONF	All highlighted information	(2)
	092912 Special Salary Adjustment – CCC Support & EE Ctr CONF	All highlighted information	(2)
	092912 Special Salary Adjustment – Districts CONF	All highlighted information	(2)
	Bates Pages 130140-OPC-POD-63-4 through 130140-OPC-POD-63-604	All highlighted information	(2)
	Bates Page 130140-OPC-POD-63-605	All highlighted information	(2)
	Bates Page 130140-OPC-POD-63-606	All highlighted information	(2)
	Bates Page 130140-OPC-POD-63-607	All highlighted information	(2)
	District Labor Sept YTD 2012 HAS PROPOSED SPREAD CONF	All highlighted information	(2)
	Bates Pages 130140-OPC-POD-63-608 through 130140-OPC-POD-63-609	All highlighted information	(2)
	Bates Page 130140-OPC-POD-63-611	All highlighted information	(2)
	Regulatory and Pricing budget v16 CONF	All highlighted information	(2)
	Bates Pages 130140-OPC-POD-63-612 through 130140-OPC-POD-63-614	All highlighted information	(2)

- (1) The information identified on the listed pages/files contains confidential pricing and non-price information pertaining to contractual agreements between Gulf and various counterparties. Such contractual agreements include purchased power agreements, wholesale agreements, long term service agreements, consulting agreements, lines of credit, right of way leases and facility leases. This information is regarded by both Gulf and the counterparties as confidential. The information, 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 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.
- (2) The information identified on the listed pages/files contains confidential employee compensation data, including names, positions, salaries and promotion status. Public disclosure of this information could provide Gulf's competitors with an advantage in acquiring and obtaining qualified employees, increase Gulf's employee turnover and associated training costs, and give existing and prospective employees an advantage in negotiating compensation packages, leading to increases in the overall amount paid to employees. This information is confidential pursuant to section 366.093(3)(e), Florida Statutes. See Florida Power & Light v. Florida Public Service Commission, 31 So.3d 860 (Fla. 1st DCA 2010).
- (3) The information identified on the listed pages/files contains confidential information pertaining to planned infrastructure improvements. Such confidential information includes pricing and planning justifications/scenarios for a variety of Critical Energy Infrastructure projects involving transmission lines, substations, transformers, and breakers. Public disclosure of this information could significantly threaten the energy security of the bulk power system as well as place Gulf Power at a competitive disadvantage with regard to contract negotiations, purchasing agreements and transactions required to continue to reliably serve Gulf's customers. This information is confidential pursuant to section 366.093(3)(c) and (e), Florida Statutes.
- (4) 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.

EXHIBIT "B"

CLK Note:
2 CDs forwarded to AFD w/
redacted documents.
N. McLean

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.: 130140-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U. S. mail this 11th day of September, 2013:

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