ORIGINAL

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111

GULF POWER
A SOUTHERN COMPANY

June 10, 2002

Ms. Blanca S. Bayo, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee FL 32399-0870

Dear Ms. Bayo:

RE: Docket No. 011605-EI

Enclosed are an original and fifteen copies of Gulf Power Company's Request For Confidential Classification pertaining to certain portions of the Internal Controls of Florida's Investor Owned Utilities for Fuel and Wholesale Energy Transactions report to be filed in the above docket.

Sincerely,

Susan D. Ritenour (lw)

Susan D. Ritenour
Assistant Secretary and Assistant Treasurer

lw

cc: Beggs and Lane
Jeffrey A. Stone, Esquire

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Review of Investor-Owned Electric Utilities' Risk Management Policies and Procedures

Docket No.: 011605-EI
Date Filed: June 11, 2002

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ORIGINAL

REQUEST FOR CONFIDENTIAL CLASSIFICATION

GULF POWER COMPANY ["Gulf Power", "Gulf", or the "Company"], by and through its undersigned attorney and pursuant to Rule 25-22.006, Florida Administrative Code, hereby files a request that the Florida Public Service Commission enter an order protecting from public disclosure certain portions of the Internal Controls of Florida's Investor Owned Utilities for Fuel and Wholesale Energy Transactions report ("Report"). As grounds for this request, the Company states:

1. The information at lines 1 through 3 on page 12 of the Report is entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes, as information, the public disclosure of which would cause irreparable harm to the competitive interests of the provider of the information. Specifically, the information discusses the results of the hedging program in place at Savannah Electric and Power. Managing the risks associated with fuel and wholesale energy transactions, as well as the goals and results sought in those transactions, is competitively sensitive to Savannah Electric and Power and the Southern Company. The information contained in this response describes the results of the business strategy of Southern Company Services ("SCS") and Savannah Electric and Power in the area of hedging. This type of financial information is not otherwise publically available for participants in fuel and wholesale energy markets.

2. The information at lines 6 through 11 on page 81 of the Report and the table in its entirety on page 82 of the Report is entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes. The information provided is regarded as competitively sensitive. Specifically, the information provides the details and results of the strategy employed by SCS on behalf of Gulf in procuring various types of fuel. The disclosure of this information would allow competitors access to information about Gulf's operations that Gulf does not have access to with regard to its competitors. This information can be used by energy wholesalers and fuel suppliers to tailor their offers to Gulf rather than offer their best market price. If this information is publically disclosed, it is likely that fuel suppliers would not bid their best offer. A competitor or fuel supplier can use this information to determine Gulf's market position, needs and sensitivities to various fuel types. In addition, the information details the types and terms of contracts by fuel type for Gulf. Disclosing this information would allow fuel suppliers to determine when Gulf may need to go into the market for new fuel supply and Gulf's preferences for contract terms and length. This information is entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes.

3. The information at lines 19 through 20 of page 84 of the Report and pages 85 through 94 of the Report in their entirety are entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes, as information, the public disclosure of which would cause irreparable harm to the competitive interests of Gulf Power. Pages 84 through 94 of the Report provided details of Gulf's Risk Management Plan and analysis thereof. The information provided details the business strategy of SCS and shows the boundaries and parameters that

shape how SCS will behave in the market on behalf of Gulf. General thoughts on how a reasonable market participant may act are known, however, the information provided in this response is of such detail that competitors would have great insight on all facets of SCS's decision-making process on behalf of Gulf. If competitors know how SCS will react to a given market condition, the competitors may try to take advantage of SCS when those market conditions are present. Public disclosure of this information would severely undermine the market position of SCS. Since SCS is Gulf Power's agent for fuel and wholesale energy transactions, Gulf Power and the customers of Gulf Power are the ones that are ultimately harmed if this information is disclosed publically. Simply, this information provides a road map for competitors to follow to effectively undermine the efforts of SCS in the area of fuel procurement. This information is entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes.

4. The information filed pursuant to Request is intended to be, and is treated as, confidential by the Companies and has not been otherwise publicly disclosed.

5. Submitted as Exhibit "A" is a copy of the portions of the Report, on which is 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 Report, 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 10th day of June 2002,

JEFFREY A. STONE
Florida Bar No. 325953
RUSSELL A. BADDERS
Florida Bar No. 007455
Beggs & Lane
P. O. Box 12950
(700 Blount Building)
Pensacola, FL 32576-2950
(850) 432-2451
Attorneys for Gulf Power Company

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Review of Investor-Owned Electric Utilities' Risk Management Policies and Procedures	Docket No.:	011605-EI
	Date Filed:	June 11, 2002

/

REQUEST FOR CONFIDENTIAL CLASSIFICATION
EXHIBIT "A"

The information provided herein should be maintained as proprietary

confidential business information pursuant to Section 366.093 and Rule 25-22.006, F.A.C.

Provided to the Division of Records and Reporting

under separate cover as confidential information

EXHIBIT "B"

WALTER D'HAESELEER, DIRECTOR
DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT
(850) 413-6600

Public Service Commission

May 30, 2002

Ms. Linda Davis
Regulatory Affairs
Gulf Power Company
One Energy Place
Pensacola, Fl. 32520-0780

Dear Linda:

Please find enclosed a draft copy of the Bureau of Regulatory Review's recently completed ***Internal Controls of Florida's Investor Owned Utilities for Fuel and Wholesale Energy Transactions.*** The draft is being provided to allow your company to review it for factual accuracy and confidentiality concerns prior to the exit conference. We encourage the company's assistance and feedback during the exit conference and we request the exit conference to be held on June 6, 2002. We believe a teleconference will suffice for this purpose.

If the company wishes to provide written comments on the report, we ask that the comments be provided to staff no later than June 12, 2002. These comments will be published in the final report.

In accordance with Chapter 25-22.006(3) of the Florida Administrative Code, upon the completion of the exit conference, the company will have 21 days to file any requests for confidential treatment with the Division of the Commission Clerk and Administrative Services. The request for confidential classification of selected lines of the report should be filed in accordance with 25-22.006(4) of the Florida Administrative Code.

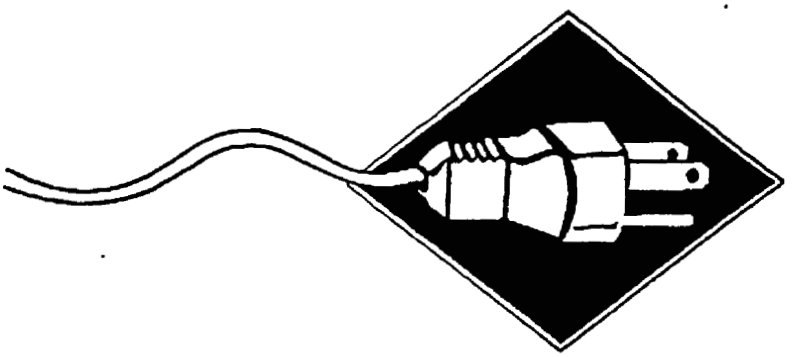
To assist us in making the report available for informational purposes in Docket No. 011605-EI, we are requesting that you waive the 21 day rule. Please file any requests for confidential treatment by June 12, 2002 so that the report can be published on June 14. Thank you for the cooperation extended by your company and its employees during the completion of this review. If you have any questions, please contact Lou Yambor at (850) 413-6530.

Sincerely,

Lisa S. Harvey, Chief
Bureau of Regulatory Review

LSH/bjm
Enclosure
cc: Walter D' Haeseleer, Director, Division of Competitive Markets & Enforcement
Beth Salak, Assistant Director, Division of Competitive Markets & Enforcement

6.0 GULF'S FUEL PURCHASING PRACTICES



Review of

Internal Controls of Florida's Investor Owned Utilities for Fuel and Wholesale Energy Transactions

June 2002

By Authority of
The State of Florida for
The Public Service Commission
Division of Competitive Markets and Enforcement
Bureau of Regulatory Review

Review of

Internal Controls of Florida's Investor Owned Utilities for Fuel and Wholesale Energy Transactions

Louis J. Yambor
Operations Review Specialist
and
Rodney P. Wallace
Government Analyst I

June 2002

By Authority of
The State of Florida for
The Public Service Commission
Division of Competitive Markets and Enforcement
Bureau of Regulatory Review

RR-01-08-004

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6.0 GULF'S FUEL PURCHASING PRACTICES

Table of Exhibits

1.0 EXECUTIVE SUMMARY

1.0 Executive Summary

1.1 Objectives

On November 26, 2001, as a spin off of Docket 010001-EI, Docket 011605-EI was created to fully address the issue of risk management and the hedging theory. Consequently, the Florida Public Service Commission's (FPSC) Division of Economic Regulation requested that the Bureau of Regulatory Review (BRR) examine and evaluate risk management policies and procedures associated with the procurement of fossil fuel and wholesale energy for the four largest investor-owned electric utilities: Florida Power and Light (FPL), Florida Power Corporation (FPC), Gulf Power (Gulf), and Tampa Electric Company (TEC).

BRR's primary objectives were as follows:

- To protect the interests of ratepayers and evaluate the processes by which each company obtains fuel and manages its fuel procurement, to determine how effectively these practices are used, and to ensure that adequate and effective policies and procedures are in place
- To provide a basis for enhancing the Commission staff's understanding and knowledge of each company's risk management policies and procedures associated with the procurement of fuel and wholesale energy
- To provide an overview and comparison of hedging current and best practices within the electric utility industry
- Identify those areas where the greatest opportunities exist to improve both managerial and operational practices and where cost-effective benefits may be realized

1.2 Scope

Using the content from these objectives, this study looked at the four largest IOU's overall practices, controls, and policies when purchasing fossil fuel and wholesale energy. The review looked at the years from 1998 through 2001. Additionally, staff considered what other state commissions have recommended to curtail fuel prices and what the electric utility industry has considered when hedging techniques and financial options are sanctioned policies. This review is not intended to give an opinion on the use of financial hedging by a regulated utility. Instead, its focus is on controls that should be used if such a strategy were to be pursued.

1.3 Methodology

This review was based upon information gathered through document requests, interrogatories, interviews with fossil fuel department personnel, examination of company policies and procedures, and analysis of all company trading. These trading transactions include all hedging, contracts, contract swaps, options, and the spot market. Particular attention was given to current practices and to comparing them to industry recommendations.

In examining these practices and philosophies, staff focused on the following information sources:

- Transcripts of the FPSC undocketed Hedging and Portfolio Management Workshop held on May 14, 2001
- FPSC's Digest of Commission Regulatory Practices, Section XIII, Fuel and Purchased Power, Revised 4/98
- *Regulatory Perspective on Hedging and Speculating in the Electricity Futures Market*, FPSC Bureau of Research, July 1997
- *Review of Purchasing and Selling Practices for Natural Gas*, FPSC Bureau of Auditing, Audit Control No. 00-353-4-1, April 2001
- *A Practical Guide to Hedging: Operational and Accounting Controls, Financial Reporting, and Federal Income Tax*, NYMEX/PricewaterhouseCoopers, Chapter 4, pp 40-47, June 2001
- *Use of Hedging by Local Gas Distribution Companies: Basic Considerations and Regulatory Issues*, National Regulatory Research Institute, May 2001
- *Investment Management Theory and Application*, Sarkis J. Khoury, 1983
- Company responses to FPSC interrogatories and document requests
- Other documented Commission activities related to fuel cost recovery

1.4 Overall Opinion

There is considerable risk for utilities opting not to engage in financial hedging and there is considerable risk inherent in financial hedging. More risk is encountered if such an activity is not

adequately controlled[1]. Given that, the summary below describes each company's approach to hedging techniques in fuel procurement and related controls.

1.4.4 Gulf Power Company

Gulf also lacks some of the controls necessary to operate a risk management program. Similar to FPC, Gulf has multiple companies and departments contributing to the trading portfolio. Southern Company should consider central consolidation under the Risk Management Department. Secondly, the risk management policy needs more detail regarding office designation, credit monetary limits, and other department procedures that support the entire procurement and trading operation. Currently, Southern has not engaged in any hedging transactions for Gulf, but is financially trading on behalf of Savannah Electric and Alabama Power.

Policies and procedures that support the company risk management concept need much more detail and revision. For example, the contract procedures for fuel procurement are only six pages long and lack any policy on procuring gas and oil. They address coal only. The company is currently revising them. More detail is provided in Sections 6.2 and 6.3.

[1]According to Sarkis J. Khoury, author of *Investment Management Theory and Application*, "No matter how well conceived a hedging strategy is, it is not always superior to a no-hedge position. . . . hedging depend[s] on expectations. . . the ability to predict the behavior of the basis should dictate the hedge ratio (*where the hedge ratio is*). . . determined the yield volatility of the asset to be hedged relative to that of the futures contract."

2.0 BACKGROUND AND PERSPECTIVE

2.0 Background and Perspective

2.1 Gas Industry Development

The nationwide natural gas prices during 2000/2001 resulted in a burden on many utility customers and prompted regulators to look for ways to protect consumers from fuel price spikes.

One option is to do nothing, assume these spikes are rare, isolated occurrences. However, public response demanded price protection. There appear to be two alternatives state utility commissions have used to mitigate utility fuel cost recovery: mandating some form of hedging or locking in prices through price moratoriums. Both alternatives can shift part of the price risk from rate payers to the companies.

Both of these options would require a company to create a risk management plan and a department to execute the plan. A company that has heavily depended on spot purchases and contracts as its purchasing norm may have to redefine its mission and acquire personnel who have commodity trading, forecasting, and financial skills. Further a utility company that fails to mitigate fuel prices through some form of hedging or alternate purchasing plan run the risk that a regulator could deny full cost recovery.

According to *Webster's Third New International Dictionary*, "a commodity is something of value especially when regarded as an article of commerce." Fossil fuels (natural gas, coal, crude oil) and wholesale energy are classified as commodities. Commodities are nonfinancial by nature but are sold through futures contracts and are commonly traded on recognized exchanges. Futures trading has long existed for commodities such as orange juice, metals, livestock, and currency. The most prominent futures exchange for gas is the New York Mercantile Exchange (NYMEX), although there are currently sixteen exchanges across the United States that trade commodities.

Natural gas price volatility began with the Natural Gas Policy Act of 1978 and the passage of the Wellhead Price Decontrol Act of 1989. The 1989 Act transformed natural gas from a regulated supply into a speculative commodity that began trading in 1992. Today, all utility commissions must cope with a market that can be changed by rumors and speculators who are betting on rising and falling prices.

Exhibit 1 depicts the price trend for natural gas in the United States from 1974 through 2000. More important are the future prices of gas. The Energy Information Administration predicts that natural gas prices will rise at a faster pace than oil. The Energy Information Administration expects natural gas to increase 2.8 percent per year reaching $3.13 by 2020. Rising prices are reflected by projected rising demand.

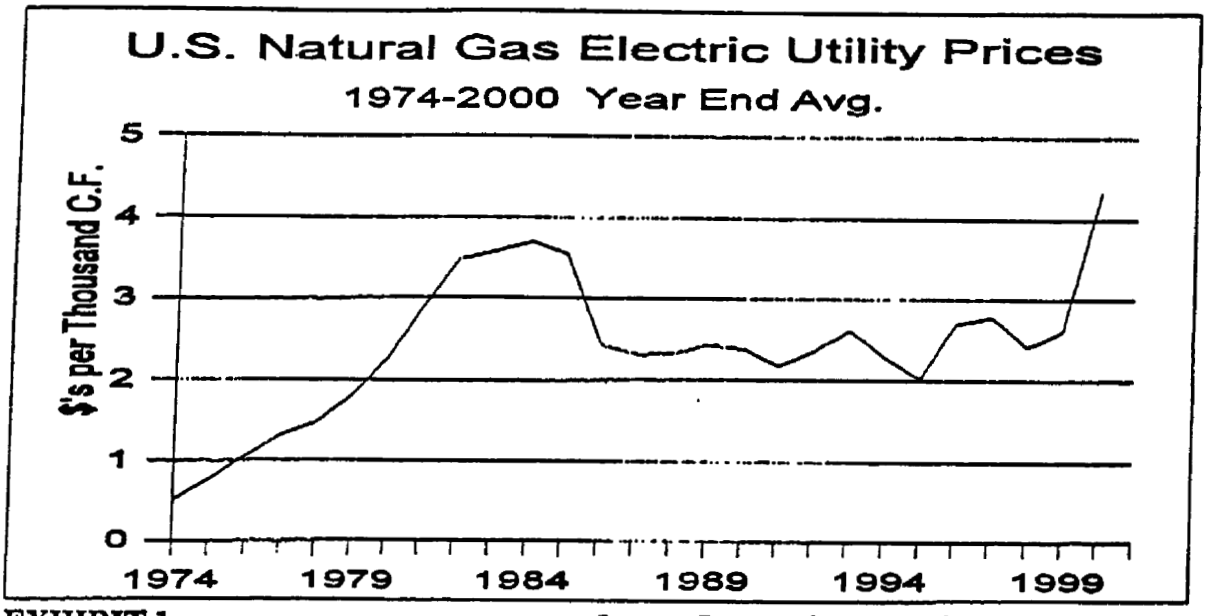

EXHIBIT 1 *Source: Energy Information Administration, Table 4*

Supply will be a cause for concern for utilities. The trend of electric utilities either converting plants to natural gas or building gas-fired power has greatly impacted demand. Increased demand creates concerns about gas production. The Energy Information Administration predicts that short-term (through 2004) and mid-term (2010) supply appears adequate, but long-term (2020) domestic production is not expected to keep up with demand.

The Energy Information Administration asserts that natural gas demands have risen 57 percent due to increased demand in electricity generation since 1999. By 2020, demand by utilities is expected to rise to 11.3 trillion cubic feet when based upon usage for the year 1999. That would be a rise of 336 percent. The Energy Information Administration cautions consumers that the ever-increasing demand raises the following questions:

- Is there enough to gas to meet demand?
- Can it be produced fast enough?
- Can we build pipelines fast enough?
- How high will prices go?

Questions such as these can and have affected market prices. A shortage assures higher prices, and increased availability can reduce prices. This is further solidified by looking at natural gas futures on the NYMEX Henry Hub Index for one-thousand cubic feet. In December 2001, the price was set at $2.55. In December 2002 it is $3.44, and for December 2003, it is $3.80.

A key event affecting the wholesale energy markets took place in 1996 when the Federal Energy Regulatory Commission (FERC) laid the foundation for competitive wholesale power markets by opening access to transmission lines. The wholesale energy bulk trading market started

with the establishment of the Independent System Operators,and in 1999 FERC mandated grid management through Regional Transmission Organizations. This rule affected all public held electric companies.

At present, bulk power is traded at NYMEX and other markets in various hubs throughout the United States. The hubs are regional since interconnections are the limitations. For example, no transmission connection exists between Florida and California. Clusters among neighboring utilities are the norms. Peninsular Florida belongs to the Florida Regional Reliability Council region.

Wholesale power is traded and sold in megawatt hours. Like any other commodity, both futures and options are available. According to NYMEX data accumulated in Energy Information Administration, a large amount of electricity is traded in wholesale purchases and resale contracts. IOUs are responsible for over half of all those sales. In the last quarter of 2001, the NYMEX average megawatt hour sold for $35. However, in that same year, which was subject to heat waves and other factors such as the time of day and weather, a megawatt hour has sold for more than $1000.

2.2 Fuel Cost Recovery

From 1974 and forward, oil volatility has keenly affected utilities and the ratepayers they serve. It led to the mechanism used to recuperate the cost of fuel that cannot be anticipated in base rates costs: fuel and purchase recovery clause. Florida's history on this clause goes back to the 1950's, but it was effectively established in 1974 by Florida Public Service Commission Order No. 6357. It has been modified by eight Commission orders since that date.

The fuel cost recovery is designed and allowed by the FPSC as a means for the IOUs to recover for cost-effective fuel, purchased power, and other related expenditures on a dollar-for-dollar basis. Upon Commission approval, it passes on costs to customers when there is a fuel price increase. It also passes on any savings realized to the customers when there are price reductions. All of the recovered costs are applied to oil, gas, and purchased power.

2.3 Current Trends In Utility Purchasing of Fossil Fuel

The largest criticisms of fossil fuel cost-recovery involve purchasing practices and ratepayer price protection. The easiest way for an electric utility to purchase fuel is to buy it on the spot market. The spot market is the current daily price. Simply put, the company buys the fuel at the current price, applies to the Commission for a fuel-price adjustment, and passes it onto the rate-paying customers as a charge. This practice provides very little incentive for the utility to look for ways to save the consumer from added fuel adjustment charges.

In lieu of spot market purchases, there are transactions that may mitigate the risk associated with spot oil and gas markets. The first is financial or derivative hedging. Derivatives include futures contracts and options such as puts, calls, and contract swaps. Another way to hedge is physical hedging through contract purchase with actual physical possession. These can also include contracts, puts, calls, and contract swaps.

2.4 Industry and Commission Actions Regarding Hedging

It appears that fossil fuel hedging options and derivatives within electric utilities appears to be a relatively new practice. Most state commission activity has centered on local distribution gas companies with two time-tested exceptions. In November 1999, the Minnesota Public Utilities Commission granted an electric utility a one-year pilot program to purchase future contracts, puts, calls, and linked transactions in the purchase of wholesale energy. Also in 1999, the Minnesota Commission granted permission for the company to hedge natural gas. All effects would flow back through the fuel clause.

2.4.1 Northern States Power Company-Minnesota

The original Minnesota Commission order included three safeguards and limitations: purchases are limited to the electricity commodity, no speculating, and all activity is subject to prudence reviews. The commission imposed no specific internal risk management controls on the company. In the first year, the net impact was a $6.9 million loss and an extra burden to ratepayers. The commission extended the program another 15 months. Total gas and wholesale power losses for the second year were $5.1 million. The commission extended the program for a third year, but the results are not available at this time. This is an example of how substantial losses may occur over the short term when forecasted pricing goes the other way, particularly in derivative trading.

2.4.2 Savannah Electric & Power-Georgia

The other company that was recently ordered to hedge was the Savannah Electric and Power (which is part of the Southern Company). The Georgia Public Service Commission was concerned because Savannah Electric had experienced high gas price volatility and believed the rate payers were entitled to price protection. The commission held hearings and ordered on May 24, 2001, that Savannah Electric must hedge part of the oil and gas purchases with financial instruments. The order imposed the following time and percentage limitations on the company:

- Hedging program begins June 1, 2001
- Maximum time is 42 months into the future
- Maximum annual dollar is 10 percent of gas and oil budget
- Maximum 42 month dollar hedges are 5 percent of the 42 month gas/oil budget
- All losses and gains will flow back to the fuel clause
- The company must procure all physical gas/oil at market

The commission imposed no specific risk management rules. However, commission staff will monitor the program and evaluate its success. Additionally, Savannah will retain 25 percent of the

gains, and the company must keep records of all transactions. [redacted]

2.4.3 NARUC/NRRI Survey

The National Association of Regulatory Utility Commissions (NARUC) conducted a state commission survey on the hedging mechanism. The twenty-eight state responses were compiled by the National Regulatory Research Institute (NRRI). One of the questions asked was: Has your state utility commission addressed hedging as a risk management technique? Twenty-six answered affirmatively. The survey further verifies that at least six states have ordered or permitted hedging as a tool to mitigate prices on natural gas. The survey further shows that 14 states allow some tool for hedging cost recovery subject to provisos such as prudence review, reasonableness, or prior commission approval.

2.4.4 Regulatory Actions on Local Gas Distribution Companies

The West Virginia Public Service Commission also issued a specific order on hedging. In early 1995, a local distribution gas company filed a rate case along with a separate cost-recovery proceeding. Staff at the West Virginia Commission looked at futures gas prices on the NYMEX and proposed a settlement. The proposal was a three-year lock-in on rates.

After considerable discussion, the West Virginia Commission and the company agreed to a total rate moratorium for years 1996 through 1998. The agreement was a locked-in price of $2.00 per thousand cubic feet. Action by the West Virginia Commission essentially hedged for the customer by specifying a three-year tariff.

The gas company was free to rely on spot markets but it recognized that there was too much assumed risk to its stockholders. Therefore, the company did not hesitate in making a management decision to lock-in a rate for 36 months. Since the burden of gas prices had switched from ratepayers to stockholders, hedging became a company strategy.

Further, the company agreed to the same conditions for the years 1999 through 2001. Commission staff calculated that action by the West Virginia Commission saved customers $30 million for the first three years and forecasted savings of $81 million for 1999 through 2001.

In other action by a utility commission, Arkansas has taken recent action on natural gas price control during 2001. The Arkansas Commission realized that natural gas prices were being determined by traders and financial instruments. After hearings and workshops, it ordered all gas companies under its jurisdiction to adopt the principles for gas procurement:

- Develop a diversified gas supply portfolio which should include hedging, contracts, and financial instruments
- Submit portfolio for Commission review

- Costs associated can be recovered through the Cost Recovery Clause
- Maintain records
- Educate your customers and levelize billing

The Arkansas Commission will closely monitor each company plan for proper price strategy and execution of the plan.

Lastly, the state utility commissions in Indiana, Nevada, and New Mexico either have publicly admonished or penalized local gas companies for failure to protect their customers from unreasonable gas prices. These commissions informed the companies that spot-market buying is insufficient, and that it is their duty to mitigate large price increases. Failure to do so will result in a denial for partial cost recovery.

2.5 National Regulatory Research Institute (NRRI) Report

In a May 2001 report by NRRI, entitled *Use of Hedging by Local Gas Distribution Companies: Basic Considerations and Regulatory Issues*, hedging natural gas was given close scrutiny. The NRRI offers the following caveats when hedging price control is endorsed by a commission:

- Risk management has costs; establish a need for the program
- Keep the hedging program simple
- Specify and articulate all objectives
- Identify the hedging costs
- Make sure the company has the qualified personnel to sufficiently run a program
- Utilities may want to avoid shifting risk, "play it safe," and avoid financial hedging altogether
- Rapid falls in price may rule out hedging

The NRRI identified the winter of 2000-2001 market shortfalls as illustrative of how volatile natural gas prices can be. They caution commissions that hedging in its purest form is only an insurance policy and, over time, should not be expected to reduce the average price. Hedging only stabilizes prices if they continue to rise.

2.6 Internal Controls for Physical and Financial Hedging

A company that plans to hedge commodities must have internal controls in place before the program is instituted. A guide for operation, internal controls, and accounting entitled *A Practical Guide to Hedging* is referenced by NYMEX on its internet website. Below is a summation of the general elements of the guide as well as other pertinent risk management controls:

- Inform the board of directors and seek board approval for a hedge program
- Establish a risk management executive committee composed of company top executives; establish dotted line reporting to the front office.
- Create an organization of personnel and facilities capable of commodity trading, portfolio management, procurement, financial planning, and an understanding of financial and inherent risk; within the organization it must have:
  - Continuing education for all front office personnel
  - Established clear communications
  - Organize the supporting departments which may include legal, data information, and contract administration
- Create and segregate duties in the front, middle, and back offices
  - Front office would be trading and procurement
  - Middle office would be risk management
  - Back office would be accounting and finance
- Draft a risk management plan
  - Goals and objectives
  - List strengths, weaknesses, opportunities, and threats
- Write policies and procedures that comply with all regulating authority, other laws and practices, and reflect the risk plan objectives; establish the following as a minimum:
  - Purpose of hedging and trading
  - Responsibilities of each supporting department and establish independence between each department
  - Stop loss and position limits
  - Types of options tools to be used
  - Value at Risk (VaR) and other analytical tools
  - Credit risk management with exposure standards and limits
  - Accounting
  - Authorization; state who has authority to do what
  - Employee duties and limitations
  - Timely reports to monitor positions, trades, and markets

- Institute annual internal auditing as part of the check process

6.0 Gulf's Fuel Purchasing Practices

6.1 Gulf Company Profile

Gulf is a regulated subsidiary of the Southern Company and provides service to 7,400 square miles of Northwest Florida. In 2001, customer accounts totaled an average of 376,520. For year end 2001, operating revenues for Gulf totaled $725 million and the workforce consisted of 1,307 employees. Gulf's summer generating capacity stood at 2,250 megawatts for year 2001 and was 100 percent generated by fossil-fuel, of which 57 percent was coal-fired.

Gulf has 14 base-load on-line generating units, 11 with steam turbines, and three with combustion turbines. Eight of those units are coal powered and six use natural gas. To operate those generators in 2001, total fuel consumption was 4,360,069 tons of coal, 28,924 barrels of oil, and 1,134,898 MCF of gas. In total, the fossil fuel bill to fire Gulf's generators was $199.7 million.

Citing Gulf's 2002 Ten-Year Site Plan, the company will rely more on natural gas for future generation needs. By June 2002, Lansing Smith Unit 3 will be on-line and will generate 574 megawatts. Unit four will be in-service by 2008. Both units will be fired by natural gas with unit 3 using 87,000 MMBTU per day.

For the current status of fuel cost-recovery, Gulf has Commission approval for $6,907,921 underrecovery for the period of January through December 2000, $17,609,612 estimated/actual underrecovery for 2001, and $10,701,691 estimated underrecovery for 2002.

6.1.1 Fuel and Wholesale Power Purchasing Organization

Exhibit 21 depicts Gulf as it relates to the Southern Company regarding fuel acquisitions, wholesale energy, and risk management. As shown in Exhibit 22, the Southern Company Services (SCS) Fuel Services Department consists of 70 employees and has responsibility for fossil fuel acquisitions for the entire parent company. Also, Southern Company has a risk management department within SCS. As Exhibit 23 shows, risk management activities are functionally segregated to assure proper control.

SOUTHERN COMPANY
FUEL ORGANIZATIONAL STRUCTURE
2002

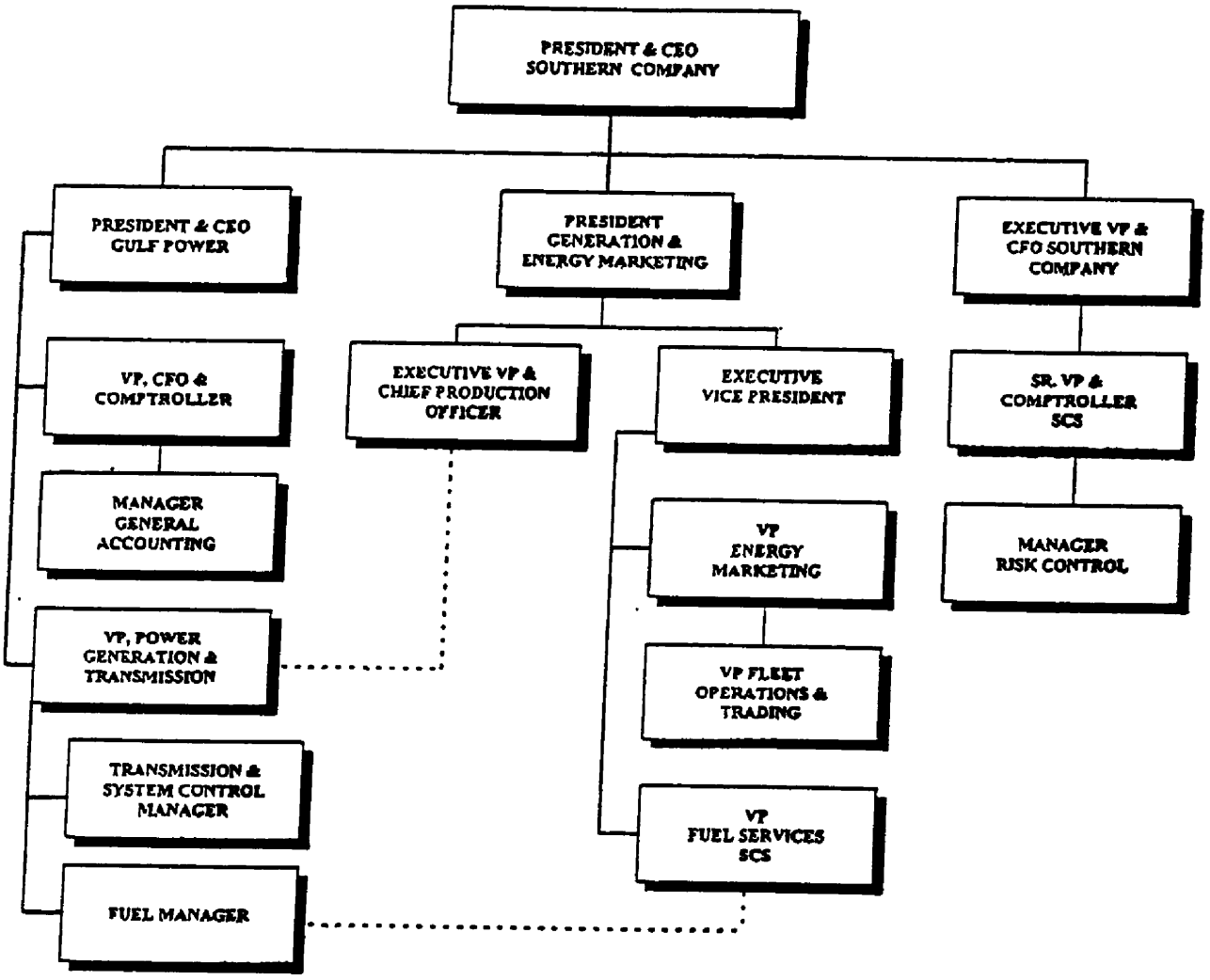

EXHIBIT 21

Source: DR-2-1.

SOUTHERN COMPANY SERVICES
FUEL SERVICES DEPARTMENT
2002

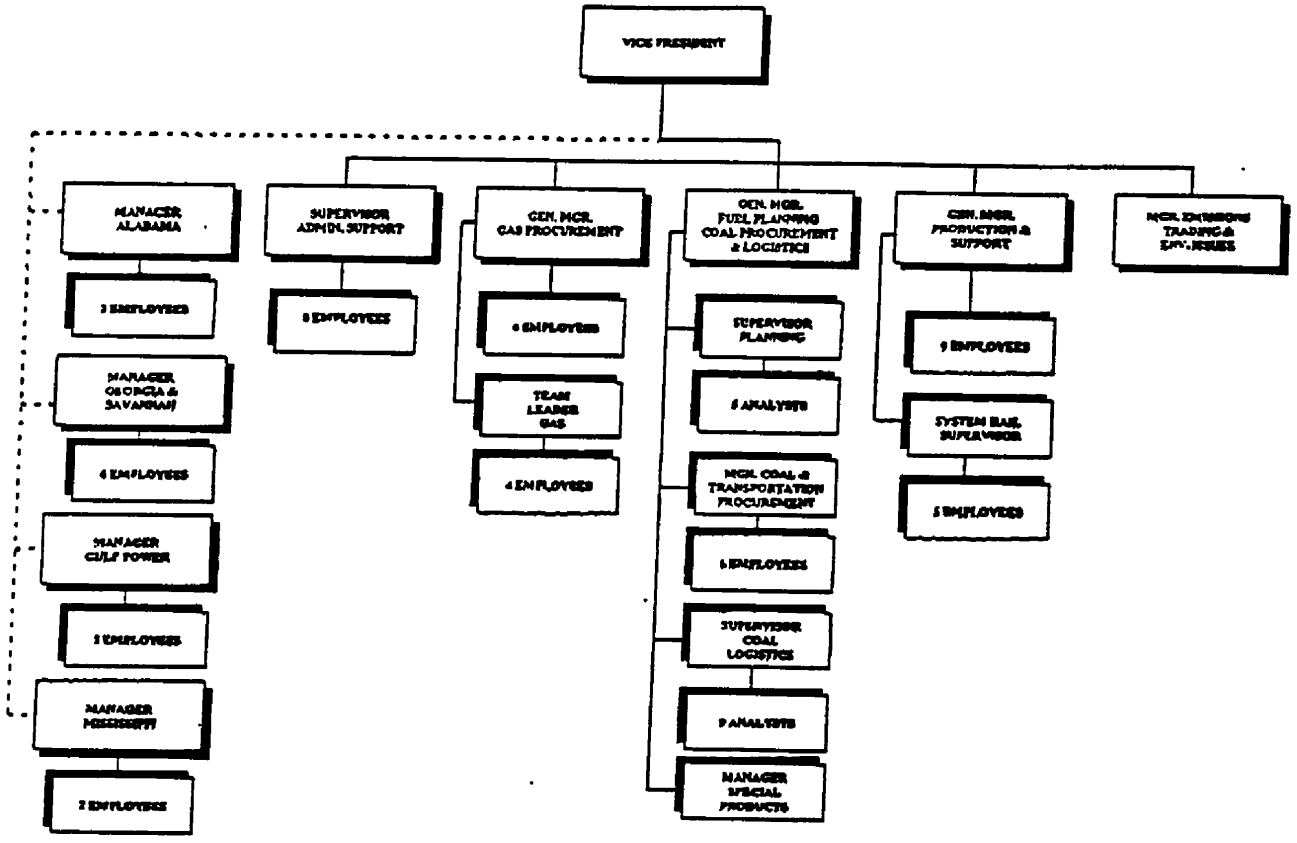

EXHIBIT 22

Source DR 1-1

SOUTHERN COMPANY SERVICES
RISK MANAGEMENT FUEL SERVICES
SEGREGATION OF DUTIES
2002

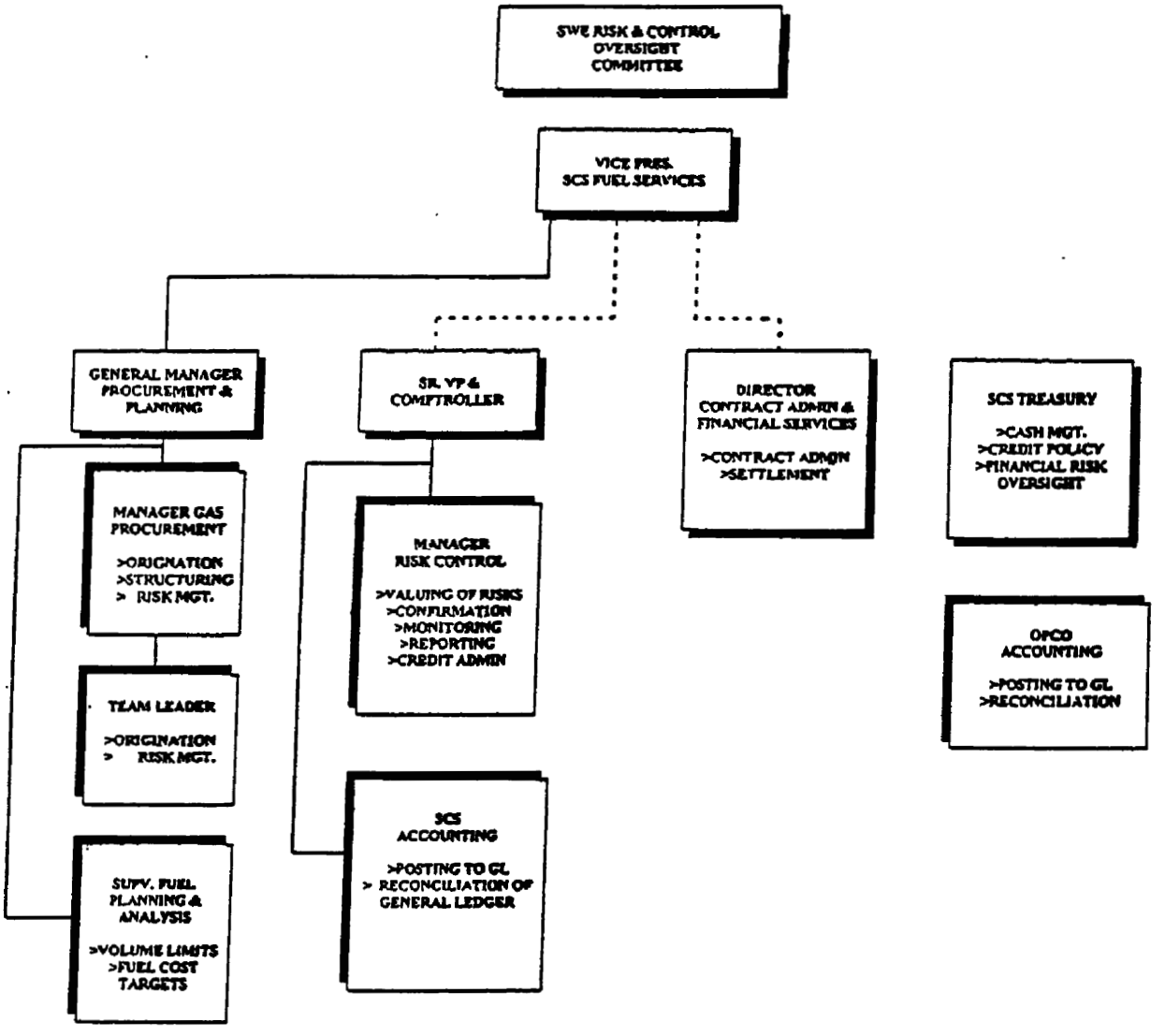

EXHIBIT 23

Source DR 1-1.

6.2 Gulf's Fossil Fuel Purchasing Policies and Controls

Gulf's fuel is purchased by the SCS Fuel Services, which is a subsidiary of The Southern Company. SCS acts as an agent for Gulf and works under the oversight of a fuel manager who is a Gulf employee, and all contracts are negotiated by SCS employees under the auspices of the Gulf fuel manager.

Gulf states these procedures are outdated and are currently being revised. They lack specific detail such as procedure number, forms used for bids, and contract content. Also, these procedures do not include gas and oil contract policy. Gulf did not provide any policies that outline the procurement of gas and oil.

Gulf has a risk committee referred to as the Southern Company Oversight Committee that approved risk management guidelines in 1997. The guidelines apply to any company business unit engaged in risk management activities. In particular, this includes the purchase of gas, coal, and wholesale energy. The general guidelines specify the objectives in energy acquisition:

- Deliver the lowest energy cost to customers
- Maximize returns on resources
- Provide reliability of power supply

Additionally, natural gas fulfillment function objectives are more specific and are listed as follows:

- Deliver risk-optimized gas to resources
- Deliver risk-optimized gas to support sales of wholesale energy
- Optimize natural gas assets associated with supply, transportation, and storage
- Support operations for cross-commodity spreads

The approved instruments under this policy are futures, forwards, options, and swaps. The cquisition of oil is not addressed in these guidelines. However, the guidelines include the ecessities

Gulf's Fossil Fuel Purchases by Type of Contract

Purchased as	Coal Percent				Distillate Oil as %				Natural Gas as %			
	1998	1999	2000	2001	1998	1999	2000	2001	1998	1999	2000	2001
Fixed Long Term												
Indexed Long Term												
Fixed Medium Term												
Indexed Medium Term												
Fixed Short Term												
Indexed Short Term												
Spot Market												
Storage Inv.												

EXHIBIT 24

Source: DR I-8

for a valid hedge program: credit limits, VaR, market risk, legal, segregation of duties, monitoring and reporting. Segregation of duties is of key importance in risk management. Southern acknowledges this and their risk control procedural process demonstrates that concept as shown in Exhibit 23.

Gulf has the ability to store natural gas. In 1997 it contracted to store up to 100,000 MMBTU and at any one time and can withdraw 10,000 MMBTU per day. If the stored gas is not needed by Gulf's power plants, SCS may buy it and compensate the company at market value and restore the inventory after depletion.

SCS on behalf of Gulf, needs to update, revise, and create procedures that would enhance and complement all of Southern Company's risk management policy. It appears much more detail is needed to assure proper management control over fuel related transactions. Southern should also consider further department consolidation if it intends to hedge fuel and wholesale energy for its regulated companies.

6.3 Gulf's Wholesale Energy Purchasing and Sales Policies and Controls

Wholesale energy purchases and sales are transacted by Energy Marketing on behalf of Gulf's Transmission and System Control Department. Energy Marketing is part of Southern Wholesale Energy. The Gulf transmission control manager acts as liaison between Gulf and Southern Wholesale energy. Like SCS fuel services, Southern Wholesale Energy also has segregation of duties as described in Section 6.2. It is set up the similar to Exhibit 23 and assures a risk management control over wholesale energy trading.

The Energy Marketing Department states that its wholesale energy plan is dependent upon the following:

- Direct the lowest cost off-system energy to territorial customers if there is a savings
- Jurisdictional resources are marketed elsewhere and treated as an economy sale
- If energy that is not jurisdictional is marketed elsewhere, all losses and gains will be directed to the wholesale jurisdiction

As Gulf's agent, SCS does not enter the wholesale energy market to hedge, rather it uses the off-system approach mostly in short-term. In the short-term, SCS constantly compares existing resources with the availability of off-system energy resources. If a purchase can lower prices, SCS will institute a transaction. SCS also looks at long-term and determines if a purchase would be conducive for a system mix.

Southern electric system power pool and states that the off-system spot market has desirable low-cost energy savings. This is especially true when purchased power is cheaper then company generation. The balanced approach is reliable and is low-cost to Gulf customers.

As noted in Exhibit 25, Gulf has substantially increased its purchases in wholesale power. As management states: Gulf buys energy if it is cheaper than we can produce it and we will sell if the price is greater. Wholesale energy was cheaper in 2001, therefore Gulf purchased 37 percent more wholesale power when compared to 2000. As a result, sales have dropped 30 percent when comparing the same two years. Gulf had no option activity for the last three years.

Gulf's Wholesale Megawatt Hours of Purchases, Sales, and Options (000)			
	1999	2000	2001
Purchases*	1,100	1,729	2,363
Sales	4,001	3,525	2,710
Call Options	n/a	n/a	n/a

EXHIBIT 25 *Source: FPSC Forms A6-A9.*

**Includes Purchases from Qualifying Facilities.*

6.4 Gulf's Risk Management Plan

As a culmination of risk planning for fuel purchases and hedging, Gulf was asked to submit a risk management plan that would summarize its strategy for year 2002. Included as an excerpt of the plan's strategy which is part four. The company responses are verbatim and identified in *italics*.

IV. Risk Management Strategy

A. Risk Identification

1. Identify each type of risk that the utility encounters when procuring:

a. Coal

Response:

[redacted]

EXHIBIT C

Line-by-Line/Field-by-Field Justification

Line(s)/Field(s)	Justification
Internal Controls of Florida's Investor Owned Utilities for Fuel and Wholesale Energy Transactions Report Page 12, lines 1 - 3	This information is entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 1.
Internal Controls of Florida's Investor Owned Utilities for Fuel and Wholesale Energy Transactions Report Page 81, lines 6 - 11	This information is entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 2.
Internal Controls of Florida's Investor Owned Utilities for Fuel and Wholesale Energy Transactions Report Page 84, lines 11 through 20 Pages 85 through 94 in their entirety	This information is entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 3.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Review of investor-owned electric utilities' risk management policies and procedures) Docket No. 011605-EI

Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing was furnished by hand delivery or the U. S. Mail this 12th day of June 2002 on the following:

Wm. Cochran Keating, Esquire
FL Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee FL 32399-0863

Rob Vandiver, Esquire
Office of Public Counsel
111 W. Madison St., Suite 812
Tallahassee FL 32399-1400

Paul Lewis, Jr., Esquire
Florida Power Corporation
106 E. College Avenue, Suite 800
Tallahassee FL 32301-7740

John T. Butler, Esquire
Steel, Hector & Davis LLP
200 S. Biscayne Blvd, Ste 4000
Miami FL 33131-2398

William G. Walker, III
Vice President
Florida Power & Light Company
215 S. Monroe Street, Suite 810
Tallahassee FL 32301-1859

Lee L. Willis
James D. Beasley
Ausley & McMullen
P. O. Box 391
Tallahassee FL 32302

Vicki G. Kaufman, Esq.
McWhirter Reeves
117 S. Gadsden Street
Tallahassee FL 32301

John W. McWhirter, Jr., Esq.
McWhirter Reeves
400 N Tampa St Suite 2450
Tampa FL 33602

Myron Rollins
P. O. Box 8405
Kansas City MO 64114

John Attaway
P. O. Box 32015
Lakeland FL 33802-2018

Michael Briggs
801 Pennsylvania Avenue, Suite 620
Washington DC 20004

Ms. Angela Llewellyn
Supervisor, Regulatory Coordination
P. O. Box 111
Tampa FL 33601-0111

James A. McGee, Esquire
P. O. Box 14042
St. Petersburg FL 33733-4042

JEFFREY A. STONE
Florida Bar No. 325953
RUSSELL A. BADDERS
Florida Bar No. 0007455
BEGGS & LANE
P. O. Box 12950
Pensacola FL 32576
(850) 432-2451
Attorneys for Gulf Power Company