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Pensacola, Florida 32520

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ORIGINAL



December 19, 2001

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. 010949-EI

Enclosed are an original and fifteen copies of Gulf Power Company's Request for Temporary Protective Order to item number 66 of Citizens' Fourth Request for Production of Documents, No. 66, in the above docket.

Sincerely,

Susan D. Ritenour (lw)

Susan D. Ritenour
Assistant Secretary and Assistant Treasurer

lw

Enclosure

cc: Beggs and Lane
Jeffrey A. Stone, Esquire

DOCUMENT NUMBER-DATE
15914 DEC 21 01
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Request for Rate Increase by Gulf
Power Company

Docket No.: 010949-EI
Date: December 19, 2001

_____))
REQUEST FOR TEMPORARY PROTECTIVE ORDER

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 a temporary protective order protecting from public disclosure Gulf Power Company's responses to request number 66 of Citizen's Fourth Request for Production of Documents (No. 66). As grounds for this request, Gulf Power Company states:

1. Gulf Power Company has filed a petition under Section 366.06, Florida Statutes, for an adjustment of rates. For purposes of discovery in the docket established to address Gulf's petition for an adjustment of rates, the Public Counsel has propounded numerous interrogatories and requests for production of documents, the responses to which will necessarily result in the disclosure of confidential information of the Company, parties with whom it has entered contracts and one or more of its affiliates and/or customers. In an attempt to provide the Public Counsel responses to their discovery requests in an expeditious manner, Gulf files this request to allow Public Counsel to inspect and possess this confidential information for the purpose of determining what information is to be used in the proceeding before the Commission in this docket pursuant to Florida Public Service Commission Rule 25-22.006(6)(c). In the event that Public Counsel does not use the information in the proceeding before the Commission, Gulf specifically requests that the information, and that which was derived therefrom, be either

returned to Gulf or destroyed such that it does not remain in the possession of any entity subject to section 119.07(1), Florida Statutes.

2. The response to request for production of documents numbered 66 is entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes as information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. The information being provided contains details regarding Gulf's compensation plans. Employee benefits and compensation plans are regarded as confidential in the highly competitive markets in which Gulf actively competes for employees.

3. The material for which confidential classification is requested is intended to be, and is treated as, confidential by Gulf Power Company and, to the best of the undersigned attorney's knowledge has not been otherwise publicly disclosed.

WHEREFORE, Gulf Power Company respectfully requests that the Commission enter a temporary protective order consistent with this request.

Respectfully submitted this 19th day of December 2001,



JEFFREY A. STONE

Florida Bar No. 325953

RUSSELL A. BADDERS

Florida Bar No. 007455

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P. O. Box 12950

(700 Blount Building)

Pensacola, FL 32576-2950

(850) 432-2451

Attorneys for Gulf Power Company

66. Please provide the Incentive Compensation Plan currently in effect for the Company.

ANSWER:

This information is provided pursuant to a Request for Temporary Protective Order.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for rate increase by)
Gulf Power Company)
_____)

Docket No. 010949-EI

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing has been furnished
this 19th day of December 2001 by U.S. Mail to the following:

Marlene Stern, Esquire
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