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ORIGINAL



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COMMISSION  
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November 2, 2004

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. 040001-EI

Enclosed are an original and ten copies of the Gulf Power Company's Request for Confidential Classification regarding interrogatory number 5 of Staff's Second Set of Interrogatories to Gulf Power Company (Nos. 5-10).

Sincerely,

*Susan D. Ritenour*

CMP \_\_\_\_\_  
COM \_\_\_\_\_ lw

CTR \_\_\_\_\_ cc: Beggs and Lane  
ECR 1 Jeffrey A. Stone, Esquire

GCL 1

OPC \_\_\_\_\_

MMS \_\_\_\_\_

RCA \_\_\_\_\_

SCR \_\_\_\_\_

SEC 1

OTH 1 conf records

DOCUMENT NUMBER-DATE

11814 NOV-3 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchased power cost  
recovery clause and generating performance  
incentive factor

Docket No.: 040001-EI  
Date: November 2, 2004

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**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 interrogatory number 5 of Staff’s Second Set of Interrogatories to Gulf Power Company (Nos. 5-10). As grounds for this request, the Company states:

1. The information provided in response to interrogatory number 5 of Staff’s Second Set of Interrogatories to Gulf Power Company (Nos. 5-10), contains confidential information regarding contractual matters and competitive interests of Gulf Power, which would cause irreparable harm to Gulf Power Company and the entities with whom it has entered into contracts if such information were disclosed to the general public. This information is entitled to confidential classification pursuant to §366.093(3)(e) and (d), Florida Statutes. The response to interrogatory number 5 provides specific contract terms of one or more gas supply contracts, the terms of which are regarded by both Gulf and the party with whom it has contracted as confidential. The gas supply contract(s) in question were a result of negotiations between Gulf and one or more suppliers. The terms resulting from the negotiations are specific to the contract(s) and are not publicly known. Disclosure of this information would negatively impact

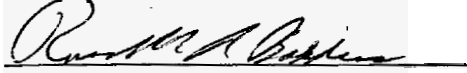
Gulf's ability to negotiate terms favorable to its customers in future gas supply contracts because possible counterparties may refuse to contract with Gulf if Gulf is unable to keep the contract terms confidential. In addition, the responses contain information relating to competitive interests in fuel markets which would cause irreparable harm to Gulf Power Company and the entity with whom it has contracted if such information is disclosed to the general public. The specific volumes of fuel and the contract term (beginning and end dates) are competitively sensitive in that they reveal when Gulf will be entering the market for new supply and what amounts will be needed at that time. It also indicates how much gas Gulf has under contract versus total need which can influence Gulf's market position.

2. The information filed pursuant to this Request is intended to be, and is treated as, confidential by the Gulf Power and has not been otherwise publicly disclosed.

3. Submitted as Exhibit "A" is a copy of Gulf's response to interrogatory number 5, 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 interrogatory number 5, 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 2<sup>nd</sup> day of November 2004,



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchased power cost  
recovery clause and generating performance  
incentive factor

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**EXHIBIT "A"**

Provided to the Division of Records and Reporting  
under separate cover as confidential information

EXHIBIT "B"

1

5. For each natural gas contract (commodity) effective during part or all of 2004 or 2005 please complete the following table:

1 Gulf Power Company (Gulf) does not currently have any firm gas supply agreements.  
2 Southern Company Services (SCS), as agent for Gulf, has contracted for firm gas supply  
3 under long term agreements.  
4  
5  
6  
7  
8

	Counterparty	Begin Date	End Date	Min Volume	Max Volume
9					
10					
11					
12					

EXHIBIT C

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

**Line(s)/Field(s)**

Interrogatory 5  
Page 1  
Lines 3-12

**Justification**

This information is entitled to confidential classification pursuant to §366.093(3)(e) and (d), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 1 of this Request for Confidential Classification.



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power Cost )  
Recovery Clause with Generating )  
Performance Incentive Factor )  
\_\_\_\_\_ )

Docket No. 040001-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 2nd day of November 2004 on the following:

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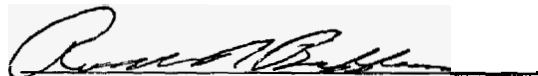
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