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ORIGINAL



December 16, 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

RECEIVED FPSC
DEC 20 AM 9:44
COMMISSION
CLERK

Dear Ms. Bayo:

Re: ~~Docket No. 040001-EI~~

Enclosed are an original and ten copies of Gulf Power Company's Notice of Intent to Request Confidential Classification in regards to Staff's Second Request for Production of Documents, Nos. 3 and 5, in the above referenced docket.

Sincerely,

Susan D. Ritenour

CMP _____ lw

COM _____

CTR _____ cc: Beggs and Lane
Jeffrey A. Stone, Esquire

ECR I

GCL _____

OPC _____

MMS _____

RCA _____

SCR _____

SEC I

OTH conf
 records

This docketed notice of intent was filed with Confidential Document No. 13298-04. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

DOCUMENT NUMBER-DATE
13297 DEC 20 04
FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power)
 Cost Recovery Clauses and Generating)
 Performance Incentive Factor)
)
 _____)

Docket No. 040001-EI
 Date: December 16, 2004

NOTICE OF INTENT TO REQUEST 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 gives notice that it intends to request confidential classification for responses to request for production of documents numbered 3 and 5 of Commission Staff's Second Request for Production of Documents to Gulf Power Company (Nos. 3 - 5). A copy of the responses is attached hereto as exhibit "A".

The information requested is entitled to confidential classification pursuant to Section 366.093(3)(d) and (e). The Company's responses to the staff information request contains proprietary confidential business information regarding contractual matters which would cause irreparable harm to Gulf Power Company and the entities with whom it has entered into contracts if such information is disclosed to the general public. In addition, the responses contain information relating to competitive interests in fuel procurement 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 information for which confidential classification is sought is intended to be and is treated by Gulf Power Company and the entities with whom it has or intends to contract with as private. A formal request for confidential classification will be filed within the time period specified in Rule 25-22.006(3)(a), Florida

DOCUMENT NUMBER-DATE

13297 DEC 20 04

FPSC-COMMISSION CLERK

Administrative Code, if the Staff determines that the information will be retained by the Commission and not returned to the Companies within the specified time period. In the event the Staff determines that it will retain this document, the Company requests to be notified, through the undersigned counsel, prior to the expiration of the period specified in Rule 25-22.006(3)(a).

Respectfully submitted this 16th day of December 2004,



JEFFREY A. STONE

Florida Bar No. 325953

RUSSELL A. BADDERS

Florida Bar No. 007455

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Pensacola, FL 32591

(850) 432-2451

Attorneys for Gulf Power Company

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 16th day of December 2004 on the following:

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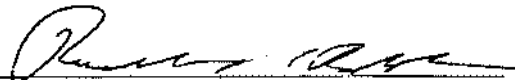
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