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ORIGINAL

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A SOUTHERN COMPANY

January 5, 2005

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. 050001-EI

Enclosed is Gulf Power Company's ~~Notice of Intent~~ to Request Confidential Classification to production of documents numbered 3 and 5 of Commission Staff's Second Request for Production of Documents, Nos. 3-5.

Sincerely,

Susan D. Ritenour (lw)

db

CMP _____ Enclosure
COM _____
CTR _____
ECR 1
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RCA _____
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SEC 1
OTH 1 conf records

cc: Beggs and Lane
Jeffrey A. Stone, Esquire

DOCUMENT NUMBER-DATE

00182 JAN-6 05

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 050001-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 5th day of January 2005 on the following:

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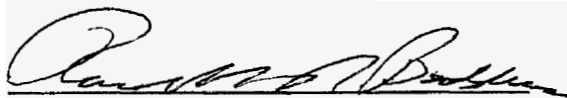
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DOCUMENT NUMBER-DAT

00182 JAN-6 05

FPSC-COMMISSION CLERK

ORIGINAL

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: January 5, 2005

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 Gulf's response to requests 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). As grounds for this request, the Company states:

1. The information provided in requests 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), contains confidential information regarding contractual matters and competitive interests of Gulf Power, which would cause irreparable harm to Gulf Power Company, the entities with whom it has entered into contracts and most importantly to Gulf's customers 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 requests numbered 3 and 5 provides contract terms of several coal and gas supply contracts. The pricing terms in these contracts are regarded by both Gulf and the party with whom it has contracted as confidential. The coal and gas supply contracts in question were a result of negotiations between

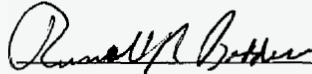
Gulf and one or more suppliers. The pricing terms resulting from the negotiations are specific to the individual contracts and are not publicly known. Disclosure of this information would negatively impact Gulf's ability to negotiate pricing favorable to its customers in future coal and gas supply contracts because possible counterparties may refuse to contract with Gulf if doing so results in the price term being made public or the fuel supplier may price the fuel at the market-take price. The market-take price does not allow any negotiation of price and would result in higher fuel costs to Gulf and Gulf's customers. Disclosure of this information would result in Gulf being unable to effectively compete in fuel markets for the benefit of its customers.

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 requests numbered 3 and 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 Gulf's response to requests numbered 3 and 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 5th day of January 2005,



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EXHIBIT C

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

Line(s)/Field(s)

Justification

Request 3

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Identified Section A

Lines 1-6

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Identified Section A

Lines 1-14

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.

Request 5

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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.

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Lines 1-3

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.