

Susan D. Ritenour  
Secretary and Treasurer  
and Regulatory Manager

One Energy Place  
Pensacola, Florida 32520-0781

Tel 850.444.6231  
Fax 850.444.6026  
SDRITENO@southernco.com



June 29, 2007

Ms. Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0850

Dear Ms. Cole:

Re: Docket No.: 070001-EI

Enclosed are an original and seven copies of Gulf Power Company's Notice of Intent to Request Confidential Classification regarding the Company's responses to items numbered 2 and 4 of Staff's First Request for Production of Documents.

Sincerely,

CMP \_\_\_\_\_  
COM \_\_\_\_\_ *Susan D. Ritenour*

CTR \_\_\_\_\_

ECR   1  

GCL   1  

OPC \_\_\_\_\_ bh

RCA \_\_\_\_\_ cc: Beggs & Lane

SCR \_\_\_\_\_ Jeffrey A. Stone, Esq.

SGA \_\_\_\_\_

SEC \_\_\_\_\_

OTH   1    
*COM records*

This docketed notice of intent was filed with Confidential Document No. 05284-07. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

*Confidential*  
DOCUMENT NUMBER-DATE  
05284 JUL-26  
FPSC-COMMISSION CLERK

*NOI*  
DOCUMENT NUMBER-DATE  
05283 JUL-26  
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**ORIGINAL**

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

Docket No.: 070001-EI  
Date Filed: June 29, 2007

**NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION**

1. Notices and communications with respect to this Notice should be  
addressed to:

Jeffrey A. Stone  
Russell A. Badders  
Steven R. Griffin  
Beggs & Lane  
P. O. Box 12950  
Pensacola, FL 32501

Susan D. Ritenour  
Secretary and Treasurer  
Gulf Power Company  
One Energy Place  
Pensacola, FL 32520-0780

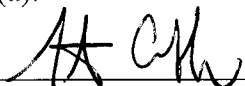
2. Gulf Power Company ["Gulf Power", "Gulf", or "the Company"], by and  
through its undersigned attorneys and pursuant to Rule 25-22.006, Florida Administrative Code,  
hereby gives notice that it intends to request confidential classification for portions of Gulf  
Powers's response to Staff's First Request for Production of Documents to Gulf Power Company  
(Nos. 1-6). Copies of the confidential documents are attached hereto as exhibit "A".

DOCUMENT NUMBER-DATE

05283 JUL-25

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3. A portion of Gulf Power Company's responses to requests numbered 2 and 4 of Commission Staff's First Request for Production contain proprietary confidential business information regarding contractual matters which would cause irreparable harm to Gulf Power, 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. The information is entitled to confidential classification pursuant to § 366.093(d) and (e), Florida Statutes. Specifically, the confidential information consists of pricing terms for coal and natural gas offered to and purchased by Gulf Power in connection with Requests for Proposals issued by Gulf Power in 2006. Disclosure of this information would negatively impact Gulf's ability to negotiate pricing favorable to its customers in the future. In addition, potential counterparties may refuse to enter into contracts with Gulf in the future or would charge higher prices if the contract terms were made public. A formal request for confidential classification will be filed within the time period specified in Rule 25-22.006(3)(a), Florida Administrative Code, if the Staff determines that the information will be retained by the Commission and not returned to Gulf Power Company within the specified time period. In the event the Staff determines that it will retain this information, Gulf Power Company requests to be notified, through the undersigned counsel, prior to the expiration of the period specified in Rule 25-22.006(3)(a).

  
\_\_\_\_\_  
**JEFFREY A. STONE**  
Florida Bar No. 325953  
**RUSSELL A. BADDERS**  
Florida Bar No. 007455  
**STEVEN R. GRIFFIN**  
Florida Bar No. 0627569  
**Beggs & Lane**  
P. O. Box 12950  
501 Commendencia Street  
Pensacola, FL 32502  
(850) 432-2451

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U. S mail this 29<sup>th</sup> day of June, 2007, on the following:

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

Cheryl Martin  
Florida Public Utilities Company  
P. O. Box 3395  
West Palm Beach FL 33402-3395

Lisa Bennett, Esq.  
FL Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0863

John T. Burnett, Esq.  
Progress Energy Service Co.  
P. O. Box 14042  
St. Petersburg FL 33733-4042

R. Wade Litchfield, Esq.  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach FL 33408-0420

Patricia Ann Christensen, Esq.  
Office of Public Counsel  
111 W. Madison St., Room 812  
Tallahassee FL 32399-1400

James W. Brew, Esq.  
Brickfield, Burchette, Ritts  
& Stone, P.C.  
1025 Thomas Jefferson St., NW  
8<sup>th</sup> Floor, West Tower  
Washington DC 20007

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

Paula K. Brown, Administrator  
Regulatory Coordination  
Tampa Electric Company  
P. O. Box 111  
Tampa FL 33601

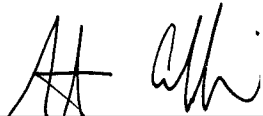
Paul Lewis, Jr.  
Progress Energy Florida, Inc.  
106 E. College Ave., Ste. 800  
Tallahassee FL 32301-7740

John T. Butler, Esq.  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach FL 33408-0420

G. Sasso/J. Walls/D. Triplett  
Carlton, Fields, *et al.*  
P. O. Box 3239  
Tampa FL 33601-3239

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

Norman H. Horton, Jr., Esq.  
Messer, Caparello & Self, P.A.  
P. O. Box 15579  
Tallahassee FL 32317

  
\_\_\_\_\_  
**JEFFREY A. STONE**  
Florida Bar No. 325953  
**RUSSELL A. BADDERS**  
Florida Bar No. 007455  
**STEVEN R. GRIFFIN**  
Florida Bar No. 0627569  
BEGGS & LANE  
P. O. Box 12950  
Pensacola FL 32591-2950  
(850) 432-2451  
**Attorneys for Gulf Power Company**

COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
MATTHEW M. CARTER II  
KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

# Public Service Commission

## ACKNOWLEDGEMENT

DATE: July 2, 2007

TO: Susan D. Ritenour/Gulf Power

FROM: Matilda Sanders, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

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This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 070001-EI or (if filed in an undocketed matter) concerning PODs 1-6, and filed on behalf of Gulf Power. The document will be maintained in locked storage.

Any questions regarding this matter should be directed to Marguerite Lockard at (850) 413-8770.

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

**EXHIBIT "A"**

DOCUMENT NUMBER-DATE

05284 JUL-25

FPSC-COMMISSION CLERK