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 RECEIVED-FPSC

10 AUG 23 AM 9: 51

COMMISSION CLERK



August 20, 2010

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

Dear Ms. Cole:

RE: Docket No. 100001-EI

Enclosed is Gulf Power Company's Request for Confidential Classification for Gulf Power Company's Form 423-2 for June 2010.

Sincerely, Swan D. Ritenaus

vm

**Enclosures** 

cc:

Beggs & Lane

Jeffrey A. Stone, Esq.

\_\_\_CLAIM OF CONFIDENTIALITY
\_\_NOTICE OF INTENT

REQUEST FOR CONFIDENTIALITY

FILED BY OPC

FOR DN V (U) (), WHICH IS IN LOCKED STORAGE. YOU MUST BE

AUTHORIZED TO VIEW THIS DN. - CLK

APA FECR FOR SSC ADMS

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

Docket No.: 100001-EI

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing was furnished by U. S. mail this 20<sup>TH</sup> day of August, 2010, on the following:

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

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

John W. McWhirter, Jr., Esq. Attorney for FiPUG McWhirter Reeves & Davidson P.O. Box 3350 Tampa FL 33601-3350

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

Vicki Kaufman Jon Moyle Keefe Anchors Gordon & Moyle PA 118 N. Gadsden St. Tallahassee FL 32301

Shayla L. McNeill, Capt. USAF Karen S. White AFLSA/JACL-ULT 139 Barnes Drive, Suite 1 Tyndall AFB FL 32403

Randy B. Miller White Springs Agricultural Chemicals PO Box 300 15483 Southeast 78<sup>th</sup> Street White Springs FL 32096 Mehrdad Khojasteh Florida Public Utilities Company P. O. Box 3395 West Palm Beach FL 33402-3395

Patricia Ann Christensen Associate Public Counsel Office of Public Counsel 111 West Madison Street, Rm. 812 Tallahassee FL 32399- 1400

James D. Beasley, Esq. J. Jeffry Wahlen Attorneys for Tampa Electric Co. Ausley & McMullen P. O. Box 391 Tallahassee FL 32302

Curtis D. Young Florida Public Utilities Company PO Box 3395 West Palm Beach FL 33402-3395

Cecilia Bradley Senior Assistant Attorney General Office of the Attorney General The Capitol-PL01 Tallahassee FL 32399-1050

John Rogers, General Counsel Florida Retail Federation 100 East Jefferson Street Tailahassee FL 32301

Ms. Cheryl Martin Florida Public Utilities Company PO Box 3395 West Palm Beach FL 33402-3395 Lisa Bennett, Esq. FL Public Service Commission 2540 Shumard Oak Boulevard Tallahassee FL 32399-0863

Wade Litchfield Vice President Florida Power & Light Co. 215 S. Monroe Street, Ste. 810 Tallahassee FL 32301-1859

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

Beth Keating Akerman Senterfit 106 East College Ave. Suite 1200 Tallahassee, FI 32301

James W. Brew F. Alvin Taylor Brickfield, Burchette, et al., P.C. 1025 Thomas Jefferson St., NW Eighth Floor, West Tower Washington DC 20007-5201

Robert Scheffel Wright John T. LaVia, III Young van Assenderp, P.A. 225 S. Adams Street, Suite 200 Tallahassee FL 32301

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** 

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No.:

100001-EI

Date:

August 20, 2010

### **REQUEST FOR CONFIDENTIAL CLASSIFICATION**

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 files a request that the Florida Public Service Commission enter an order protecting from public disclosure certain information submitted by Gulf Power on its FPSC Form 423 Fuel Report for the month of June, 2010 (the "423 Report"). As grounds for this request, the Company states:

- 1. A portion of the information contained in Gulf Power's 423 Report constitutes proprietary confidential business information concerning bids and other contractual data, the disclosure of which would impair the efforts of Gulf Power to contract for goods and services on favorable terms. The information is entitled to confidential classification pursuant to section 366.093(3)(d) and(e), Florida Statutes. Specifically, the confidential information consists of pricing for coal and related transportation services purchased by Gulf Power. Gulf Power and the counterparties involved in these transactions consider the foregoing information to be confidential and competitively sensitive. Disclosure of this information could negatively impact Gulf's ability to negotiate pricing favorable to its customers in the future. In addition, potential counterparties may refuse to enter into future contracts with Gulf, or may charge higher prices, if the confidential information is publicly disclosed.
- 2. To this attorney's knowledge, the pricing information regarding shipments in this month's report has not been otherwise publicly disclosed. This information is intended to be, and is treated as, confidential by Gulf Power.

.6960 AUG 23 º

3. Submitted as Exhibit "A" are copies of the subject documents, on which are 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 the subject documents, 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 20<sup>th</sup> day of August, 2010.

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

(850) 432-2451

**Attorneys for Gulf Power Company** 

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchased power cost		
recovery clause and generating performance	Docket No.:	100001-EI
incentive factor	Date:	August 20, 2010
)		_

# REQUEST FOR CONFIDENTIAL CLASSIFICATION

### EXHIBIT "A"

This information has been provided to the Commission Clerk under separate cover as confidential information.

### State of Florida



# Jublic Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-0850

Susan Ritenour One Energy Place Pensacola FL 32520

Re: Acknowledgement of Confidential Filing in Docket No. 100001-El

This will acknowledge receipt by the Florida Public Service Commission,

Office of Commission Clerk, of a CONFIDENTIAL DOCUMENT filed on August 23,

2010, in the above-referenced docket.

Document Number 06961-10 has been assigned to this filing, which will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.