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





August 30, 2012

Ms. Ann Cole, Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 claim of confidentiality
notice of intent
request for confidentiality
filed by OPC

For DN <u>05937-12</u>, which is in locked storage. You must be authorized to view this DN.-CLK

RE: Docket No. 120001-EI

Dear Ms. Cole:

Enclosed is Gulf Power Company's Request for Confidential Classification pertaining to Schedule CCE-4 of Exhibit RWD-3 to the Direct Testimony of Richard W. Dodd dated August 31, 2012.

Regards, Susan D. Ritenous

wb

Enclosures

cc: Beggs & Lane

Jeffrey A. Stone, Esq.

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DOCUMENT NUMBER-DATE

05936 AUG31 º

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Docket No.:

Date:

120001-EI

August 31, 2012

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

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 contained in Schedule CCE-4 of Exhibit RWD-3 to the Direct Testimony of Richard W. Dodd dated August 31, 2012 (Schedule CCE-4) on behalf of Gulf Power. As grounds for this request, the Company states:

- 1. A portion of the information contained in Schedule CCE-4 is 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 was disclosed to the general public. Schedule CCE-4 contains pricing information for capacity purchases between Gulf Power and various counterparties. The pricing information is regarded by both Gulf and the counterparties as confidential. The pricing, which resulted from negotiations between Gulf and the counterparties, is specific to the individual contracts and is not publicly known. Disclosure of this information would negatively impact Gulf's ability to negotiate pricing favorable to its customers in future capacity contracts. In addition, potential counterparties may refuse to enter into contracts with Gulf, or may charge higher prices, if the price terms are made public. The information is entitled to confidential classification pursuant to section 366.093(3)(d) and (e), Florida Statutes.
- 2. The information filed pursuant to this Request is intended to be, and is treated as, confidential by Gulf Power and, to this attorney's knowledge, has not otherwise been publicly disclosed.

DOCUMENT NUMBER-DATE

3. Submitted as Exhibit "A" is a copy of Schedule CCE-4, 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 Schedule CCE-4, 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 30th day of August, 2012.

JEFFREY A. STONE

Florida Bar No. 325953

RUSSELL A. BADDERS

Florida Bar No. 007455

STEVEN R. GRIFFIN

Florida Bar No. 0627569

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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.:	120001-EI
incentive factor	Date:	August 31, 2012
)		

REQUEST FOR CONFIDENTIAL CLASSIFICATION

EXHIBIT "A"

Provided to the Commission Clerk under separate cover as confidential information.

EXHIBIT "B"

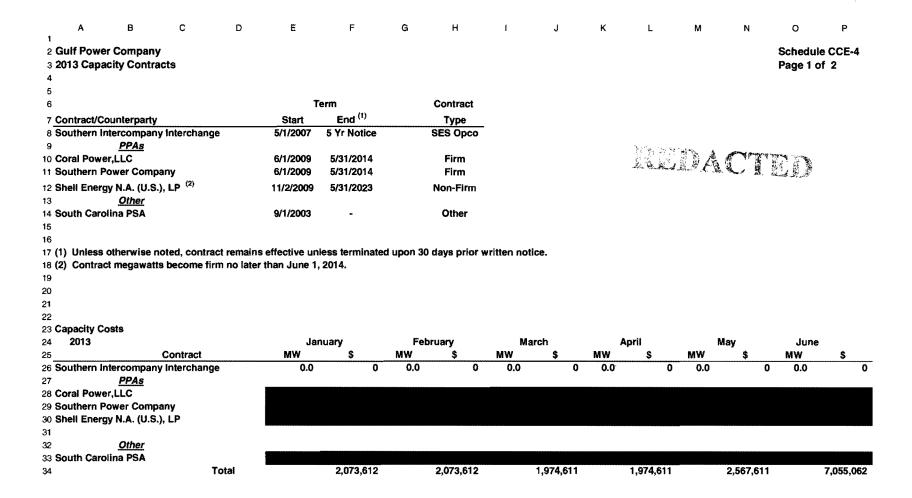
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05936 AUG31 º

FPSC-COMMISSION CLERK



DOCUMENT NUMBER-DATE

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EXHIBIT "C"

<u>Line-by-Line/Field-by-Field Justification</u> <u>Line(s)/Field(s)</u>

Page 1 of 2

Lines 28-30; Columns E-P Line 33; Columns E-P

Page 2 of 2

Lines 28-30, Columns E-Q Line 33, Columns E-P

Justification

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power Cost)
Recovery Clause with Generating)
Performance Incentive Factor) Docket No.: 120001-E l

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by U. S. mail this 30th day of August, 2012 on the following:

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