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COMMISSION
CLERK



October 25, 2013

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

RE: Docket No. 130140-EI

Dear Ms. Cole:

Enclosed for filing in the above referenced docket is Gulf Power Company's Request for Confidential Classification pertaining to certain portions of Gulf's response to Staff's Sixth Set of Interrogatories to Gulf Power (Nos. 57-65). Enclosed is a copy of Gulf Power's Request for Confidential Classification and Exhibit "A" which is a justification for confidential treatment of the Confidential Information in Microsoft Word format as prepared on a Windows based system.

Sincerely,

Robert L. McGee, Jr.

md

Enclosures

cc: Beggs & Lane
Jeffrey A. Stone, Esq.
Gunster Law Firm
Charles A. Guyton, Esq.
Richard A. Melson, Esq.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for increase in rates
by Gulf Power Company

Docket No.: 130140-EI
Date: October 28, 2013

**GULF POWER COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

Gulf Power Company ("Gulf Power" or "the Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests confidential classification of certain documents and information produced in response to Commission Staff's Sixth Interrogatories to Gulf Power (Nos. 57-65) ("Staff's Discovery"). Confidential information submitted in response to Staff's Discovery has been segregated and placed within the accompanying envelope bearing the label "CONFIDENTIAL" ("Confidential Information"). The contents of this envelope should be treated as confidential in their entirety.

Description of the Document(s)

The Confidential Information is contained in Gulf's response to Interrogatory No. 64. The Confidential Information is identified with specificity on Exhibit "A" to this Request. In support of this request, the Company states:

1. Subsection 366.093(1), Florida Statutes, provides that any records "found by the Commission to be propriety confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records Act]." Proprietary confidential business information includes, but is not limited to "[i]nformation concerning . . . contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." Subsection 366.093(3)(d), Florida Statutes. Proprietary confidential business information also

includes “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.” Section 366.093(3)(e), Florida Statutes. The Confidential Information that is the subject of this request and motion falls within the statutory categories and, thus, constitutes propriety confidential business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

2. Attached hereto as Exhibit "A" is a justification for confidential treatment of the Confidential Information.

3. Attached hereto as Exhibit "B" is a public version of the Document(s) with the Confidential Information redacted, unless previously filed as indicated.

4. The Confidential Information is intended to be and is treated by Gulf Power as private and, to this attorney’s knowledge, has not been publicly disclosed.

5. For the same reasons set forth herein in support of its request for confidential classification, Gulf Power also moves the Commission for entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.


Requested Duration of Confidential Classification

6. Gulf Power requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period prescribed in Rule 25-22.006(9)(a), Florida Administrative Code. If, and to the extent that the Company is in need of confidential classification of the Confidential Information beyond the 18 month period set forth in the Commission rule, the justification and grounds for such extended confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Gulf Power Company respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein and for a minimum period of 18 months, subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request and motion. The company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

DATED this 25th day of October, 2013.

Respectfully submitted,



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EXHIBIT "A"

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF
PORTIONS OF GULF POWER'S RESPONSES
TO STAFF'S SIXTH INTERROGATORIES (NOS. 57-65)**

<u>ROG No.</u>	<u>File Name/Page Nos.</u>	<u>Detailed Description</u>	<u>Rationale</u>
64	Page 1	All highlighted information	(1)

-
- (1) The Confidential Information consists of a detailed breakdown of projected labor, materials and design expenses associated with Gulf Power's North Brewton Alligator Swamp transmission line project. Disclosure of this information could negatively impact Gulf's ability to negotiate pricing favorable to its customers when contracting with vendors of materials and services needed by Gulf in order to implement such projects. Specifically, public disclosure of this information would enable vendors of materials and services to tailor their pricing proposals to the Company's projections, resulting in higher costs for the Company and its customers. For example, if prospective vendors have access to such information, those vendors will view the forecasted costs as the lower limit of what Gulf expects to pay and will offer to supply goods or services at higher prices. This information is subject to confidential classification pursuant to section 366.093(3)(e), Florida Statutes.

PUBLIC VERSION(S) OF THE DOCUMENT(S)

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document(s) with the Confidential Information redacted.

Public Version(s) of the Document(s) attached X

Public Version(s) of the Document(s) previously filed on _____

64. For purposes of this Interrogatory, please refer to 2013 MFR Schedule B-13, page 2 of 2, line 3, North Brewton Alligator Swamp and Schedule B-11 line 8, North Brewton Alligator Swamp 230.
- Please provide a detailed breakdown of the work performed and the charges included in the \$26,942,000 recorded in column 3 on Schedule B-13 page 2 of 2.
 - Please provide an explanation why no amounts are included in the test year 2014 column on Schedule B-11, line 8, column 5.
 - Please provide a detailed breakdown of the amount \$34,254,000 listed in column 6 Test Year Plus One 12/31/2015.

ANSWER:

- a. & c. Please see the table below for a detailed breakdown of the charges included in the \$26,942,000 balance and the \$34,254,000 balance for North Brewton Alligator Swamp 230.

	Year End CWIP Balance 2014	2015 Capital Expenditures	Total Placed in Service June 2015
Design			
Material			
Labor			
Overheads			
AFUDC			
Total	\$ 26,942,000	\$ 7,312,000	\$ 34,254,000

- b. Schedule B-11 itemizes major capital additions to Plant in Service for the historic year, prior year, test year, and test year plus one. The North Brewton Alligator Swamp 230 KV line is not scheduled to be placed in service until June 2015 (the test year plus one); therefore no amounts were included in Plant in Service for the 2014 test year. Further, since this project is eligible for AFUDC, the CWIP associated with this project in the 2014 test year has been removed from rate base on MFR B-1, line 5, column 6.

64. For purposes of this Interrogatory, please refer to 2013 MFR Schedule B-13, page 2 of 2, line 3, North Brewton Alligator Swamp and Schedule B-11 line 8, North Brewton Alligator Swamp 230.
- a) Please provide a detailed breakdown of the work performed and the charges included in the \$26,942,000 recorded in column 3 on Schedule B-13 page 2 of 2.
 - b) Please provide an explanation why no amounts are included in the test year 2014 column on Schedule B-11, line 8, column 5.
 - c) Please provide a detailed breakdown of the amount \$34,254,000 listed in column 6 Test Year Plus One 12/31/2015.

ANSWER:

- a. & c. Please see the table below for a detailed breakdown of the charges included in the \$26,942,000 balance and the \$34,254,000 balance for North Brewton Alligator Swamp 230.

	Year End CWIP Balance 2014	2015 Capital Expenditures	Total Placed in Service June 2015
Design			
Material			
Labor			
Overheads			
AFUDC			
Total	\$ 26,942,000	\$ 7,312,000	\$ 34,254,000

- b. Schedule B-11 itemizes major capital additions to Plant in Service for the historic year, prior year, test year, and test year plus one. The North Brewton Alligator Swamp 230 KV line is not scheduled to be placed in service until June 2015 (the test year plus one); therefore no amounts were included in Plant in Service for the 2014 test year. Further, since this project is eligible for AFUDC, the CWIP associated with this project in the 2014 test year has been removed from rate base on MFR B-1, line 5, column 6.

EXHIBIT "C"

REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION

Gulf Power requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefor is set forth below:

n/a

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Increase in Rates)
By Gulf Power Company)
)

Docket No.: 130140-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by overnight mail this 25th day of October, 2013:

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