

State of Florida



Public Service Commission

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

-M-E-M-O-R-A-N-D-U-M-

DATE: October 19, 2016
TO: Lee Eng Tan, Senior Attorney, Office of the General Counsel
FROM: Devlin Higgins, Public Utility Analyst IV, Division of Economics
RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 160170-EI DOCUMENT NO: 07754-16
DESCRIPTION: GPC (Griffin) - (CONFIDENTIAL) Certain documents and information produced in response to Citizens' 1st request for PODs (Nos. 1-19).

RECEIVED-FPSC
2016 OCT 19 AM 10:02
COMMISSION CLERK

SOURCE: Gulf Power Company

Pursuant to Section 366.093, (F.S.), and Rule 25-22.006, Florida Administrative Code, Gulf Power Company (GPC) requests confidential classification of certain information filed in response to a OPC production request in the above referenced docket dated September 23, 2016. This recommendation specifically addresses GPC's Response to Citizens' (OPC) First Request to Produce Documents, No. 12.

The Company is claiming confidentiality of its responses to OPC's 1st Production Request, No. 12, under Section 366.093(3), F.S. More specifically, the confidentiality request is being made under Sections 366.093(3)(d), F.S. and 366.093(3)(e), F.S. Per the Statute, propriety of confidential business information includes; "[I]nformation concerning bids or other 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," and Section 366.093(3)(e), F.S. "[I]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information."

Staff has reviewed GPC's Responses to OPC's First Request to Produce Documents, specifically No. 12, as well as the Company's confidentiality request. Information contained in Response No. 12 includes warranty provisions and related terms from a negotiated agreement between a Gulf agent and Sensus USA, Inc., for the provision of AMI metering infrastructure. Gulf claims public disclosure could impair its negotiating position in future contracts for similar products as counterparties could view this negotiated result as a starting point in future negotiations.

In staff's opinion, the information that is the subject of GPC's request meets the criteria for confidentiality contained in Sections 366.093(3)(d), and 366.093(3)(e), FS.



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-M-E-M-O-R-A-N-D-U-M-

DATE: September 26, 2016

TO: Division of Economics, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 160170-EI DOCUMENT NO: 07754-16
DESCRIPTION: GPC (Griffin) - (CONFIDENTIAL) Certain documents and information produced in response to Citizens' 1st request for PODs (Nos. 1-19).
SOURCE: Gulf Power Company

The above confidential material was filed along with a request for confidential classification and motion for temporary protective order. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (d) Information concerning bids or other 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;
 - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Devlin Higgins on 10/18/2016, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.