

Gulf Power Company
500 Bayfront Parkway
Post Office Box 1151
Pensacola FL 32520-0770
Telephone 904 444-6365

Jack L. Haskins
Manager of Rates and Regulatory Matters
and Assistant Secretary

the southern electric system

February 24, 1993

Mr. Steve Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee FL 32399-0870

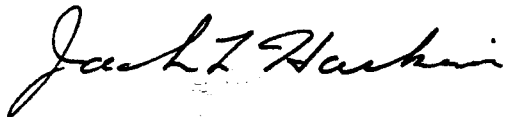
Dear Mr. Tribble:

RE: Docket No. 921167-EQ

Enclosed are an original and fifteen copies of Gulf Power Company's Motion for Reconsideration of Order No. PSC-93-0235-CFO-EQ Denying Gulf's Request for Confidential Classification and Request for Oral Argument to be filed in the above docket.

Also enclosed is a 3.5 inch double sided, high density diskette containing the enclosed comments in WordPerfect 5.1 format as prepared on a MS-DOS based computer.

Sincerely,



lw

Enclosures

cc: Beggs & Lane
J. A. Stone, Esq.

DOCUMENT NUMBER-DATE

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"Our business is customer satisfaction"

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of)
separately negotiated contract) Docket No: 921167-EQ
for purchase of firm capacity) Date filed: 2/24/93
and energy from Monsanto Company)
by Gulf Power Company)
_____)

**GULF POWER COMPANY'S MOTION FOR RECONSIDERATION
OF ORDER NO. PSC-93-0235-CFO-EQ DENYING
GULF'S REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND REQUEST FOR ORAL ARGUMENT**

GULF POWER COMPANY ("Gulf Power", "Gulf", or "the Company"), by and through its undersigned counsel and pursuant to Rule 25-22.060 of the Florida Administrative Code, files this Motion for Reconsideration of Order No. 93-0235-CFO-EQ entered in the above docket on February 12, 1993 ("the Order"). Specifically, Gulf requests reconsideration of the decision to deny Gulf's request for confidential classification as to certain information requested in Staff's First Set of Interrogatories. As grounds for this Motion, the Company states:

1. The Order cited Rule 25-17.0832(7), Florida Administrative Code, as the basis for denying Gulf's request for confidential treatment. The Order states that the information submitted under Gulf's request was not entitled to confidential classification because the rule requires Gulf to provide the same information upon request of a "qualifying facility or interested party".

2. The information for which Gulf seeks confidential treatment consists of actual calculated avoided cost prices for a 1996 generating unit. The Commission rule cited in the Order, however, only states that utilities must provide projections of

data "reasonably required by the qualifying facility to project future avoided cost prices". The cited rule does not require disclosure or calculation of the actual full avoided cost prices. Thus the information for which Gulf seeks confidential treatment is not the same information a requesting QF would have be entitled to receive under the Commission's rule.

3. As Gulf Power's request for confidential classification specifically stated, the capacity payments to be made under the proposed negotiated contract between Gulf and Monsanto

...are the result of a voluntary agreement between a willing seller and a willing buyer. Gulf has successfully negotiated price, terms and conditions with Monsanto that allow the Company to purchase the capacity specified in this contract at less than Gulf's full avoided cost.


(emphasis supplied). Gulf's efforts in negotiating these capacity payments at less than full avoided cost have resulted in significant savings to the Company and thus to the customer. It is the full avoided cost for a 1996 unit for which Gulf requests confidential classification, since disclosure of information revealing the differential between the avoided cost and the negotiated price would frustrate the Company's ability to achieve similar savings in the future.

4. Since the information for which confidential treatment is sought is not, in fact, subject to disclosure to others on demand, and is treated as proprietary and confidential business information by the Company and since disclosure of the information could harm the Company's ratepayers in that it could

affect the amount of savings, if any, the Company would be able to achieve in negotiations for the purchase of capacity from potential cogenerators in the future, the information is entitled to confidential treatment pursuant to Sections 366.093(3) and 366.093(3)(d), Florida Statutes (1992) and Rule 25-22.006, F.A.C.

WHEREFORE, Gulf Power Company respectfully requests that the Florida Public Service Commission reconsider its Order No. PSC-93-0235-CFO-EQ, and upon such reconsideration, that the Commission grant Gulf's request for confidential treatment. Gulf further requests the opportunity to present oral argument in defense of its position on this motion.

Respectfully submitted this 24th day of February, 1993.



G. EDISON HOLLAND, JR.
Florida Bar No. 261599
JEFFREY A. STONE
Florida Bar No. 325953
TERESA E. LILES
Florida Bar No. 510998
Beggs & Lane
Post Office Box 12950
Pensacola, Florida 32576-2950
(904) 432-2451
Attorneys for Gulf Power Company

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of)
separately negotiated contract for) Docket No. 921167-EG
purchase of firm capacity and)
energy from Monsanto Company by)
Gulf Power Company)
_____)


Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing has been furnished this 24th day of February 1993 by U. S. Mail to the following:

Joe R. Kaple, Jr.
Monsanto Chemical Co.
P. O. Box 12830
Pensacola FL 32575-2830

Richard Zambo, Esquire
598 SW Hidden River Avenue
Palm City FL 34990

Ms. Donna Canzano, Esq.
Staff Counsel
Florida Public Service Commission
101 East Gaines Street
Tallahassee FL 32399-0863



G. EDISON HOLLAND, JR.
Florida Bar No. 261599
JEFFREY A. STONE
Florida Bar No. 325953
Beggs & Lane
P. O. Box 12950
Pensacola, FL 32576
904 432-2451
Attorneys for Gulf Power Company