

Gulf Power Company
500 Bayfront Parkway
Post Office Box 1151
Pensacola FL 32520-0770
Telephone 904 444-5355

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

the southern electric system

February 4, 1994

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

RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION
1004 FEB -7 AM 8 34
MAIL ROOM

Dear Mr. Tribble:

Re: Docket No. 940001-EI

Enclosed are an original and fifteen copies of Gulf Power Company's Notice of Withdrawal of Portions of Motion for Confidential Treatment to be filed in the above docket.

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

Sincerely,

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
LIN _____
OPC _____
RCH _____
SEC 1 _____
WAS _____
OTH Katharine _____

Jack L. Haskins

lw

Enclosures

cc: Beggs and Lane
Jeffrey A. Stone, Esq.

"Our business is customer satisfaction"

DOCUMENT NUMBER-DATE

01236 FEB-7 94

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power)
Cost Recovery Clause and) Docket No. 940001-EI
Generating Performance) Filed: Feb. 7, 1994
Incentive Factor)
_____)

GULF POWER COMPANY'S NOTICE OF WITHDRAWAL OF PORTIONS OF
MOTION FOR CONFIDENTIAL TREATMENT

Gulf Power Company ["Gulf Power", "Gulf", or "the Company"], by and through its undersigned counsel, gives notice that it withdraws portions of its Third Amended Motion for Confidential Treatment previously filed in Docket No. 920001-EI' on October 16, 1992, as follows:

1. Gulf withdraws its request for confidential treatment as all to items on hand-numbered pages 1 through 124 of Exhibits "C" and "D" to Gulf's Third Amended Motion. That portion of Gulf's request pertained to the Coal Supply Agreement between Gulf Power and Peabody Coal Company ["Peabody" or "PCC"], which is no longer in effect due to a suspension agreement entered into between the parties in 1993.

2. Gulf maintains its request for confidential treatment as to hand-numbered pages 125 through 174 of Exhibits "C" and "D", as that document represents a transportation contract between Peabody and Orgulf Transport Co., ["Orgulf"] to which Gulf is not a party. Although Gulf is currently in active litigation with

'As stated in Gulf's Third Amended Motion, the original request for confidential treatment was submitted as a Preliminary Motion for Protective Order and Request for Confidential Classification in Docket No. 900001-EI on or about July 30, 1990, and was first amended by the Company's Supplemental Motion for Protective Order and Request for Confidential Classification filed in that same docket on or about August 14, 1990.

DOCUMENT NUMBER-DATE

01236 FEB-7 94

FPSC-RECORDS/REPORTING

Orgulf in the U.S. District Court for the Western Division of Ohio, to Gulf's knowledge the Peabody/Orgulf agreement has not been made public in that or any other matter and the Peabody/Orgulf agreement remains in effect.

3. Gulf withdraws its request for confidential treatment as to hand-numbered pages 175 through 277 of Exhibits "C" and "D", as the information reflected therein also relates to the suspended agreement between Gulf and PCC.

4. Gulf reaffirms and renews its request for confidential classification as to all other items identified as entitled to such classification in Gulf's Third Amended Motion for Confidential Treatment, except as expressly withdrawn herein.

Respectfully submitted this 4th day of February, 1994.



G. EDISON HOLLAND, JR.
Florida Bar No. 261599
JEFFREY A. STONE
Florida Bar No. 325956
TERESA E. LILES
Florida Bar No. 510998
Beggs & Lane
Post Office Box 12950
Pensacola, Florida 32576-2950
Attorneys for Gulf Power Company

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power Cost)
Recovery Clause with Generating) Docket No. 940001-EI
Performance Incentive Factor)
)

Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing was furnished by hand delivery or the U. S. Mail the 4th day of February, 1994 on the following:

Martha Brown, Esq.
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-0850

Jack Shreve, Esq.
Office of Public Counsel
111 W. Madison Street
Suite 812
Tallahassee, FL 32399-1300

James McGee, Esq.
Florida Power Corporation
P. O. Box 14042
St. Petersburg, FL 33711

Matthew M. Childs, Esq.
Steel, Hector & Davis
215 South Monroe, Suite 601
Tallahassee, FL 32301-1804

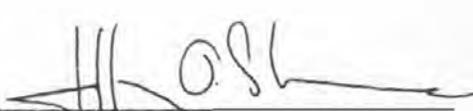
Joseph A. McGlothlin, Esq.
McWhirter, Grandoff & Reeves
315 S. Calhoun St., Suite 716
Tallahassee, FL 32301

Suzanne Brownless, Esq.
2546 Blairstone Pines Drive
Tallahassee FL 32301

Lee L. Willis, Esq.
James D. Beasley, Esq.
Ausley, McMullen, McGehee,
Carothers and Proctor
P. O. Box 391
Tallahassee, FL 32302

Robert S. Goldman, Esq.
Messer, Vickers, Caparello,
French and Madsen
P. O. Box 1876
Tallahassee, FL 32302-1876

David M. Kleppinger, Esq.
McNees, Wallace & Nurick
100 Pine Street
P. O. Box 1166
Harrisburg PA 17108-1166


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