

One Energy Place  
Pensacola, Florida 32520

Tel 850.444.6000

ORIGINAL



February 18, 1998

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0870

960789-EI

Dear Ms. Bayo:

RE: Request for Confidential Classification  
Earnings Surveillance Report, Supplemental 2 for December 1997

Enclosed are an original and fifteen copies of Gulf Power Company's Request for Confidential Classification for the Earnings Surveillance Report, Supplemental 2 for December 1997.

Sincerely,

*Susan D. Cranmer*

Susan D. Cranmer  
Assistant Secretary and Assistant Treasurer

lw

cc: Beggs and Lane  
Russell A. Badders  
Florida Public Service Commission  
John Slemkewicz  
Office of Public Counsel  
John Roger Howe, Esquire

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
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- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

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FPSC-BUREAU OF RECORDS

x-ref 02234-98  
DOCUMENT NUMBER-DATE  
02428 FEB 20 1998  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

IN RE: Gulf Power Company  
Earnings Surveillance Report,  
Supplemental 2 for December 1997

Docket No.: 960789  
Date: February 19, 1998

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

GULF POWER COMPANY ["Gulf Power", "Gulf", or "the Company"], by and through its undersigned attorney 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 Gulf Power Company's Earnings Surveillance Report titled Supplemental Surveillance Report Information, Commercial/Industrial Service Rider, for December 1997, hereafter Supplemental 2, hereafter Supplemental 2, submitted to the Florida Public Service Commission pursuant to Order No. PSC-96-1219-FOF-EI. As grounds for this request, Gulf Power Company states:

1. On February 16, 1998, Gulf Power Company submitted to the Florida Public Service Commission Gulf Power Company's Earnings Surveillance Report, Supplemental 2 for December 1997 as required by Order No. PSC-96-1219-FOF-EI.
2. Gulf Power asserts that the information contained in Supplemental 2 is entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes, as information, the public disclosure of which would cause irreparable harm to the competitive interests of Gulf Power and the entity with whom it has negotiated a CSA contract under the CIS rider approved in Order No. PSC-96-1219-FOF-EI. Supplemental 2 contains proprietary and commercially sensitive information that is not otherwise publicly available.

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3. The Public disclosure of the information contained in Supplemental 2 would cause irreparable harm to Gulf Power Company and the entity with whom it has entered a CSA contract. Supplemental 2 contains proprietary confidential business information regarding contractual terms and pricing. Public disclosure of this information would impair the ability of Gulf Power Company to negotiate terms and conditions in future CSAs that are the most favorable to Gulf and its general body of customers. Moreover, the public disclosure of this information may prevent Gulf from successfully negotiating CSAs with customers. The information is regarded as sensitive and confidential by the CIS rider customer because its public disclosure would impact the customers' ability to compete in their native markets. In the event such information is made public, future potential CIS rider customers may avoid the risk of public disclosure of their confidential information by refusing to negotiate with Gulf Power. This may lead to uneconomic bypass of Gulf's facilities. Thus, the Company requests that this information be granted confidential classification pursuant to Section 366.093(3)(e), Florida Statutes.

4. Submitted as Exhibit "A" is a copy of Supplemental 2, 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 Supplemental 2, which may be made available for public review and inspection. Attached as Exhibit "C" to this request is a line-by-line justification for the request for confidential classification.

5. The material for which confidential classification is requested is intended to be, and is treated as, confidential by Gulf Power Company and the entity with whom it has entered a CSA contract and has not been otherwise publicly disclosed.

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 18<sup>th</sup> day of February 1998,

  
\_\_\_\_\_  
**JEFFREY A. STONE**  
Florida Bar No. 325953  
**RUSSELL A. BADDERS**  
Florida Bar No. 007455  
**Beggs & Lane**  
P. O. Box 12950  
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Pensacola, FL 32576-2950  
(850) 432-2451  
**Attorneys for Gulf Power Company**

EXHIBIT "C"

**Line-by-Line Justification**

**Line(s)** \_\_\_\_\_

Lines 21 - 22 and 33 - 34

**Justification**

This information is proprietary confidential business information regarding contractual terms and pricing. Public disclosure of this information would impair the ability of Gulf Power Company to negotiate terms and conditions in future CSAs that are the most favorable to Gulf and its general body of customers. The result of public disclosure of the pricing information would be price convergence in future CSAs. Moreover, the public disclosure of this information may prevent Gulf from successfully negotiating CSAs with customers. The information is regarded as sensitive and confidential by the CIS rider customer because its public disclosure would impact the customers' ability to compete in their native markets. In the event such information is made public, future potential CIS rider customers may avoid the risk of public disclosure of their confidential information by refusing to negotiate with Gulf Power. This may lead to uneconomic bypass of Gulf's facilities.