Tel 850.444.6111





October 30, 2001

Ms. Blanca S. Bayo, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee FL 32399-0870

Dear Ms. Bayo:

J3-28801P

RE:

Notice of Intent to Request Confidential Classification

The Southern Company - Filing of Annual Report on Form U5S with the Securities

and Exchange Commission (SEC)

Enclosed for filing in the matter referred to above is the Notice of Intent to Request Confidential Classification by Gulf Power Company.

If you or your staff have any questions regarding this filing, please contact me.

Please mark the enclosed extra copy of this letter with the date and time the material was accepted in your office for filing and return same to the undersigned.

Sincerely,

Susan D. Ritenour

Assistant Secretary and Assistant Treasurer

Susan D. Ritenous (les)

lw

**Enclosure** 

cc: Beggs and Lane

Russell A. Badders, Esquire

This docketed notice of intent was filed with Confidential Document No. 13151-01. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

DOCUMENT NUMBER-DATE

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## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: The Southern Company-Filing of the Annual Report Form U5S with the Securities and Exchange Commission (SEC)

Docket No.:

Date: October 30, 2001

## NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

The Southern Company, by and through its undersigned attorney and pursuant to Rule 25-22.006, Florida Administrative Code, hereby gives notice that it intends to request confidential classification for a portion (Items 9, 10 and Exhibit H) of the Annual Report Form U5S, hereafter the Report, submitted to the Florida Public Service Commission Staff pursuant to Securities and Exchange Commission Rule 53(a)(4), C.F.R. §250.53(a)(4). A copy of the Report is attached hereto as exhibit "A". Rule 53 requires that every registered holding company submit certain specified categories of filings to each state commission in which the affiliates of the registered holding company operate. Gulf Power is an affiliate of the Southern Company, a registered holding company. Specifically, Items 9 and 10, as well as Exhibit H of the Annual Report on Form U5S must be submitted to the Florida Public Service by Gulf.

The Report contains proprietary and commercially sensitive information regarding the Southern Company and certain of its unregulated, non-utility, businesses and investments which would cause irreparable harm to the Southern Company if disclosed to the general public. A formal request for confidential classification will be filed within the time period specified in Rule 25-22.006(3)(a), Florida Administrative Code, if at such time the Staff determines that the

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FPSC-COMMISSION CLERK

information will be retained by the Commission and not returned to the Companies. In the event the Staff determines that it will retain this document, the Companies request to be notified, through the undersigned counsel, prior to the expiration of the period specified in Rule 25-22.006(3)(a). This Report is the subject of a claim of confidentiality under the Freedom of Information Act.

Respectfully submitted,

JEFFREY A. STONE

Florida Bar No. 325953

RUSSELL A. BADDERS

Florida Bar No. 007455

Beggs & Lane

P. O. Box 12950

(700 Blount Building)

Pensacola, FL 32576-2950

(850) 432-2451

**Attorneys for Gulf Power Company** 

## ITEM 9. WHOLESALE GENERATORS AND FOREIGN UTILITY COMPANIES Part I(a)

Key terms:

FUCO means Foreign Utility Company EWG means Exempt Wholesale Generator SPS means Special Purpose Subsidiary IS means Intermediate Subsidiary

COMPANY, LOCATION AND ADDRESS	FUCO,	OWNERSHIP	%
	EWG,		OWNED
·	IS		
Southern Energy Finance Capital Corporation	SPS	SOUTHERN	100%
Southern Energy Finance Company, Inc.	IS	Southern Energy	100%
		Finance Capital	
		Corporation	
EPZ Lease, Inc.	IS	Southern Energy	100%
1403 Foulk Road,		Finance Company,	
Foulkstone Plaza Suite 102-9		Inc.	
Wilmington, DE 19803			
EPZ Lease, LLC	IS	EPZ Lease, Inc.	99%
1403 Foulk Road,		Southern Energy	1%
Foulkstone Plaza Suite 102-9		Finance Company,	
Wilmington, DE 19803		Inc	
EPZ Lease Holding A, LLC	IS	EPZ Lease,LLC	99%
1403 Foulk Road,		EPZ Lease, Inc.	1%
Foulkstone Plaza Suite 102-9			
Wilmington, DE 19803	<u> </u>		·
EPZ Lease Holding B, LLC	IS	EPZ Lease, LLC	99%
1403 Foulk Road,		EPZ Lease, Inc.	1%
Foulkstone Plaza Suite 102-9			
Wilmington, DE 19803			
EPZ Lease Holding C, LLC	IS	EPZ Lease, LLC	99%
1403 Foulk Road,		EPZ Lease, Inc.	1%
Foulkstone Plaza Suite 102-9			
Wilmington, DE 19803			
EPZ Lease Trust A	FUCO	EPZ Lease	100%
c/o Wilmington Trust Company		Holding A, LLC	
1100 North Market Street			
Rodney Square North			ŀ
Wilmington, DE 19890			
EPZ Lease Trust B	FUCO	EPZ Lease	100%
c/o Wilmington Trust Company		Holding B, LLC	
1100 North Market Street			
Rodney Square North		. 1	. [
Wilmington, DE 19890			
EPZ Lease Trust C	FUCO	EPZ Lease	100%
c/o Wilmington Trust Company	,	Holding C, LLC	
1100 North Market Street			
Rodney Square North			
Wilmington, DE 19890			
Southern Energy Clairton, Inc.	IS	Southern Energy	100%
1403 Foulk Road,		Finance Company,	İ
Foulkstone Plaza Suite 102-9		Inc.	
Wilmington, DE 19803			