

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111



February 11, 2002

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:

RE: Docket No. 010949-EI

Enclosed are an original and fifteen copies of Gulf Power Company's Request for Confidential Classification for portions of Gulf Power's response to Staff's Fifth Request for Production of Documents, Nos. 39-49, to be filed in the above docket.

Sincerely,

A handwritten signature in cursive script that reads "Susan D. Ritenour".

Susan D. Ritenour
Assistant Secretary and Assistant Treasurer

lw

Enclosure

cc: Beggs and Lane
Jeffrey A. Stone, Esquire

DOCUMENT NUMBER-DATE

01634 FEB 12 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Request for Rate Increase by Gulf
Power Company

Docket No.: 010949-EI
Date: February 11, 2002

_____)
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 (“Commission”, or “FPSC”) enter an order protecting from public disclosure certain specified portions of Gulf Power’s response to Staff’s Fifth Request for Production of Documents to Gulf Power Company (Nos. 39-49). As grounds for this request, the Gulf Power Company states:

1. On January 22, 2002, Gulf filed a Notice of Intent to Request Confidential Classification for the Company’s responses to items 42- 44 of Staff’s Fifth Request for Production of Documents.
2. Gulf Power Company’s response to requests numbered 42 - 44 contain proprietary and commercially sensitive information which, if disclosed publically, would cause irreparable harm to the business interests of Gulf power Company. Gulf asserts that this information meets the requirements of §366.093(3)(a) and (e), Florida Statutes. The information being provided contains details regarding Gulf’s benefits and compensation plans. Employee benefits and compensation plans are regarded as confidential in the highly competitive markets in which Gulf actively competes for employees. The information relied upon, as well as the results obtained therefrom, reveal Gulf’s findings regarding the levels of compensation and benefits necessary to attract and retain qualified employees. The public disclosure of this information would

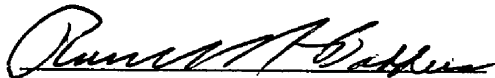
negatively affect Gulf's ability to attract and retain qualified employees which would result in harm to Gulf's competitive position in the market for employees and other markets in which Gulf is a participant.

3. Submitted as Exhibit "A" is a copy of the Company's responses to items 42- 44 of Staff's Fifth Request for Production of Documents, 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 the Company's responses to items 42- 44 of Staff's Fifth Request for Production of Documents, which may be made available for public review and inspection. Attached as Exhibit "C" to this request is a justification for the request for confidential classification.

4. The material for which confidential classification is requested is intended to be, and is treated as, confidential by Gulf Power Company and the customer to which the information pertains 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 11th day of February, 2002.



JEFFREY A. STONE

Florida Bar No. 325953

RUSSELL A. BADDERS

Florida Bar No. 007455

Beggs & Lane

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(700 Blount Building)

Pensacola, FL 32576-2950

(850) 432-2451

Attorneys for Gulf Power Company

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Request for Rate Increase by Gulf
Power Company

Docket No.: 010949-EI
Date: February 11, 2002

EXHIBIT "A"

REQUEST FOR CONFIDENTIAL CLASSIFICATION

The information provided herein should be maintained as proprietary confidential business information pursuant to Section 366.093 and Rule 25-22.006, F.A.C.

EXHIBIT "A"

Provided to the Division of Records and Reporting
under separate cover as confidential information

EXHIBIT "B"

42. Provide salary benefits surveys to justify the employee's base pay for the 2000 historical test year and the projected 2003 test year. Compare the employees salaries and benefits with each survey.

ANSWER:

1 [REDACTED]
2 [REDACTED]
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30 [REDACTED]
31 [REDACTED]

43. Provide the "Executive Compensation for 2001" by the Edison Electric Institute. Compare the Gulf's executive's salaries and benefits to the benefits reported in the Executive Compensation for the 2000 historical test year and the projected 2003 test year.

ANSWER:

1-23-02
5:55 PM
JG

[REDACTED]

- 44. Provide a copy of Gulf's Productivity Improvement Plan or any other special incentive pay programs for the 2000 historical test year and the projected 2003 test period.**

ANSWER:

Please see pages 2 through 8 for a copy of Gulf's Performance Pay Plan for the 2000 historical year, which was also used in forecasting the 2003 test year.

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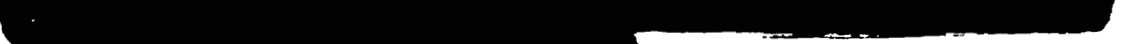











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[Redacted text block]

**Staff's Fifth Request for
Production of Documents
Docket No. 010949-EI
GULF POWER COMPAN
January 22, 2002
Item No. 44
Page 7 of 8**

State's final request for
Production of Document:
Docket No. 010949-EJ
GULF POWER COMPANIES
January 22, 2002
Item No. 44
Page 8 of 8

EXHIBIT "C"

Field/Line

Justification

Request 42

Page 1 of 2, lines 1 - 31
Page 2 of 2, the table in its entirety

Gulf asserts that this information meets the requirements of §366.093(3)(a) and (e), Florida Statutes. The information being provided contains details regarding Gulf's benefits and compensation plans. This information is considered a trade secret by Gulf and its disclosure would harm the competitive interests of the Company. The basis for confidentiality is more fully set forth in paragraph 2 of this Request.

Request 43

Page 1, lines 1 - 7

Request 44

Page 2 of 8, lines 1 - 31
Page 3 of 8, lines 1 - 33
Page 4 of 8, lines 1 - 16
Page 5 of 8, lines 1 - 24
Page 6 of 8, lines 1 - 16
Page 7 of 8, graph/table in its entirety
Page 8 of 8, graph/table in its entirety

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for rate increase by)
Gulf Power Company)
_____)

Docket No. 010949-EI

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing has been furnished
this 14th day of February 2002 by U.S. Mail to the following:

Marlene Stern, Esquire
Staff Counsel
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