



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: February 5, 2002
TO: Lorena Espinoza, Office of the General Counsel
FROM: Kathy Kaproth, Division of Economic Regulation KK : S
RE: Docket No. 010949-EI - Request for rate increase by Gulf Power Company

Recommendation concerning Gulf Power Company's (Gulf) request for confidential classification of Document No. 16122-01

On January 29, 2002, Gulf filed a Request for Confidential classification (request) of certain portions of the Direct Testimony of Helmuth W. Schultz III in the above docket. The confidential information is located in Document No. 16122-01.

Gulf states that the information contained in the endacted portions of Schultz's Direct Testimony contains information that public disclosure of would cause irreparable harm to the competitive plans at Gulf pursuant to Section 366.093)(a) and (e), Florida Statutes. Further, Gulf states that the information relates to compensation levels and compensation plans which are competitively sensitive. Gulf asserts that the details of compensation are not publically disclosed by other market participants and to require Gulf to do so would compromise its ability to attract and keep employees. Gulf further asserts that specifics of individual's compensation are considered private and confidential by the employees. Lastly, Gulf asserts that each business entity approaches compensation issues differently in order to optimize various management goals and that compensation plans should be regarded as trade secrets.

The requested confidential information, on page 18, lines 20-22 and page 19, lines 1, and 15-18 of Helmuth W. Schultz's Direct Testimony and Exhibit HWS-1, Schedule C-3, does not reveal any specifics of compensation plans or compensation levels that would cause irreparable harm to the competitive plans at Gulf. The information is given in total dollar amounts and percentages and does not reveal employee's name, compensation level, incentive compensation and/or bonuses which would be competitively sensitive and confidential in nature for the employees. Lastly, the total dollar amounts and percentages would not explain the management goals or the compensation plans and should not be regarded as a trade secrets.

- AUS
CAF
CMP
COM
CTR
ECR
GCL
OPC
MMS
SEC
OTH

Based on the above, staff recommends that page 18, lines 20-22 and page 19, lines 1, and 15-18 of Direct Testimony of Helmuth W. Schultz, III and Exhibit HWS-1, Schedule C-3 not be granted confidential classification pursuant to Section 366.093(a) and (e), Florida Statutes.

KK:slc
C:\Bureau-of-Surv-Fin\conf-req-doc-no16122-01.wpd

maguilde

DOCUMENT NUMBER-DATE

02014 FEB 20 8

FPSC-COMMISSION CLERK

STATE OF FLORIDA

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

M-E-M-O-R-A-N-D-U-M

DATE: January 29, 2002

TO: DIVISION OF APPEALS
DIVISION OF COMPETITIVE SERVICES
XX DIVISION OF ECONOMIC REGULATION
DIVISION OF LEGAL SERVICES
DIVISION OF POLICY ANALYSIS & INTERAGENCY LIAISON
DIVISION OF REGULATORY OVERSIGHT
DIVISION OF SAFETY & ELECTRIC RELIABILITY

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO: 16122-01

DESCRIPTION: OPC (Burgess) - (CONFIDENTIAL) Direct testimony of Helmuth W. Schultz, III with attached exhibit Nos. HWS-1 through HWS-6. [x-ref. DN 01091-02]

SOURCE: Gulf Power Company

DOCKET NO: 010949-EI

The above material was received with a request for confidentiality. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of the Commission Clerk and Administrative Services, Bureau of Records and Hearing Services and to the Division of Appeals.

Please read each of the following and check if applicable.

PAGE 2

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:

- (a) Trade secrets;
- (b) Internal auditing controls and reports of internal auditors;
- (c) Security measures, systems, or procedures;
- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company to contract for services on favorable terms;
- (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- (f) Tax returns or tax-related information;
- (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.

The material appears not to be confidential in nature.

The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by: Kathly Kuproth

Date: 2-5-02

cc: APP PAI
 CMP RAR
 ECR RGO
 LEG SER

PSC/CCA 15 (Rev 01/02)

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us