

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for rate increase  
by Gulf Power Company.

DOCKET NO. 010949-EI  
ORDER NO. PSC-02-0220-CFO-EI  
ISSUED: February 22, 2002

ORDER GRANTING CONFIDENTIAL CLASSIFICATION TO GULF POWER  
COMPANY'S RESPONSE TO STAFF'S SEVENTH SET OF INTERROGATORIES  
(NOS. 235-241) (DOCUMENT NO. 01683-02)

On February 13, 2002, Gulf Power Company (Gulf), pursuant to Rule 25-22.006, Florida Administrative Code, filed a request for confidential classification for certain specified portions of Gulf's responses to interrogatories numbered 235-238 of Staff's Seventh Set of Interrogatories (Nos. 235-241). The information for which Gulf seeks confidential classification was filed with the Commission as Document No. 01683-02.

Gulf asserts that the information in Document No. 01683-02 is entitled to confidential classification pursuant to Section 366.093(3)(c), Florida Statutes. Gulf represents that the information provided reveals proprietary and commercially sensitive information which, if disclosed, would cause irreparable harm to the business interests of Gulf.

Specifically, Gulf requests confidential classification for the following information:

- 1) Interrogatory Number 235:  
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- 2) Interrogatory Number 236:  
Page 1 of 1, lines 1-7
- 3) Interrogatory Number 237:  
Page 1 of 1, lines 1-12
- 4) Interrogatory Number 238:  
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DOCUMENT NUMBER DATE

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Gulf represents that this information contains details regarding Gulf's security costs, measures, and procedures. Additionally, Gulf states that the public disclosure of this information may compromise security efforts undertaken by Gulf as a result of the September 11, 2001, terrorist attacks.

Upon review, it appears that the information contained in Document No. 01683-02 contains proprietary, confidential business information which, if disclosed, would cause irreparable harm to the business interests of Gulf. Accordingly, Gulf's request for confidential classification for certain specified responses to Staff's Seventh Set of Interrogatories (Nos. 235-241) is granted.

Section 366.093(4), Florida Statutes, provides that any finding by the Commission that records contain proprietary confidential business information shall be effective for a period not to exceed 18 months, unless the Commission finds good cause to specify a longer period. Gulf did not request an extension to this period of classification. As such, the information identified in Document No. 01683-02 shall be granted confidential classification for a period of 18 months from the date of issuance of this Order.

Based on the foregoing, it is

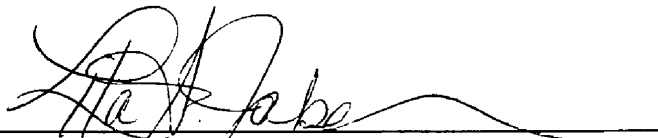
ORDERED by Chairman Lila A. Jaber, as Prehearing Officer, that the information contained in Document No. 01683-02 shall be granted confidential classification. It is further

ORDERED that the information described within the body of this Order and contained in Document No. 01683-02 is granted confidential classification for a period of eighteen months from the date of this Order. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

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By ORDER of Chairman Lila A. Jaber, as Prehearing Officer,  
this 22nd day of February, 2002.



LILA A. JABER  
Chairman and Prehearing Officer

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the

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Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.