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Pensacola, Florida 32520

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ORIGINAL



October 18, 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. 020001-EI

Enclosed are an original and ten copies of Gulf Power Company's Notice of Intent to Request Confidential Classification regarding interrogatory numbers 50 and 59 of Staff's Third Set of Interrogatories to Gulf Power Company (Nos. 43-68) and request for production number 4 of Staff's First Request for Production of Documents (Nos. 1-6).

Sincerely,

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

Susan D. Ritenour  
Assistant Secretary and Assistant Treasurer

lw

cc: Beggs and Lane  
Jeffrey A. Stone, Esquire

**This docketed notice of intent was filed with Confidential Document No. 11428-02. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.**

DOCUMENT NUMBER - DATE

11427 OCT 21 AM

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchased power cost  
recovery clause and generating performance  
incentive factor

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Docket No.: 020001-EU  
Date Submitted: October 18, 2002

**NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION**

1. Notices and communications with respect to this Notice should be addressed to:

Jeffrey A. Stone, Esquire  
Russell A. Badders, Esquire  
Beggs & Lane  
P. O. Box 12950  
Pensacola, FL 32591

Susan D. Ritenour  
Assistant Secretary and Assistant Treasurer  
Gulf Power Company  
One Energy Place  
Pensacola, FL 32520-0780

2. Gulf Power Company ["Gulf Power", "Gulf", or "the Company"], by and through its undersigned attorney's and pursuant to Rule 25-22.006, Florida Administrative Code, hereby gives notice that it intends to request confidential classification for portions of Gulf Powers's response to Staff's Third Set of Interrogatories to Gulf Power Company (Nos. 43-68) and to Staff's First Request for Production of Documents (Nos. 1-6). A copy of the interrogatories and requests is attached hereto as exhibit "A".

3. Gulf Power Company's response to interrogatory 50 contains proprietary and commercially sensitive information regarding competitive interests which are held confidential by Gulf Power Company. Specifically, the response calls for disclosure of fuel pricing for a future period. Public release of the information submitted herewith would cause irreparable harm to Gulf Power Company and would impair Gulf's ability to contract for goods on favorable

terms. Gulf asserts that this information meets the requirements of section 366.093(a) and (e), Florida Statutes.

4. Gulf Power Company's response to interrogatory 59 contains sensitive information regarding security measures, costs and procedures which are held confidential by Gulf Power Company. Specifically, the response calls for disclosure of costs associated with security measures. The public disclosure of this information may be used to generally determine what types and levels of security measures are being utilized by Gulf Power. Public release of the information submitted herewith would cause irreparable harm to Gulf Power Company and the future stability of its system. Gulf asserts that this information meets the requirements of section 366.093(c), Florida Statutes.

5. Gulf Power Company's response to request for production number 4 contains proprietary and commercially sensitive information regarding competitive interests, contractual matters and/or trade secrets which are held confidential by Gulf Power Company. The response is a specific contract which is regarded by the parties thereto as confidential and competitively sensitive. Public release of the information submitted herewith would cause irreparable harm to Gulf Power Company and would impair Gulf's ability to contract for goods and services on favorable terms. Gulf asserts that this information meets the requirements of section 366.093 (a), (d) and (e), Florida Statutes.

6. 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 the Staff determines that the information will be retained by the Commission and not returned to Gulf Power Company within the specified time period. In the event the Staff determines that it will retain this information, Gulf Power Company requests to be notified, through the undersigned counsel, prior to the expiration of the period specified in Rule 25-22.006(3)(a).

Respectfully submitted,



**JEFFREY A. STONE**

Florida Bar No. 325953

**RUSSELL A. BADDERS**

Florida Bar No. 007455

**Beggs & Lane**

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(501 Commendencia Street)

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(850) 432-2451

**Attorneys for Gulf Power Company**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power Cost )  
Recovery Clause with Generating )  
Performance Incentive Factor )  
\_\_\_\_\_ )

Docket No. 020001-EI

Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing was furnished by hand delivery or the U. S. Mail this 18~~th~~ day of October 2002 on the following:

Wm. Cochran Keating, Esquire  
FL Public Service Commission  
2540 Shumard Oak Boulevard  
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